

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 20823 of 2018 (O&M)

Date of decision : 21.9.2018

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Ranjit Singh @ Ghanta Singh

.....Petitioner

vs.

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab

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H. S. Madaan, J.

This petition for regular bail has been filed by Ranjit Singh @ Ghanta Singh, being an accused in FIR No. 8 dated 17.2.2017, for offences under Sections 363, 366(A), 120-B IPC, registered at Police Station Sadar, Rampura, District Bathinda.

Briefly stated, facts of the case as per the prosecution story are that prosecutrix (name withheld to conceal the identity) daughter of complainant Karamjeet Singh, having date of birth as 13.6.1999, was found missing from home on 17.2.2017. Despite search being launched, she could not be traced. Complainant Karamjeet Singh got his statement recorded with the police expressing an apprehension that he was sure that Raj Singh s/o Sandhura Singh r/o Peerkot, had taken away his daughter, by giving her allurements of marriage and Ranjit Singh @ Ghota s/o Darshan

Singh and his wife Dhattu Kaur and Hardeep Singh s/o Darshan Singh r/o Peerkot, their neighbours, are also involved in the incident because Raj Singh usually visited the house of those persons. On the basis of such statement of complainant Karamjeet Singh, formal FIR was registered.

Ranjit Singh @ Ghanta Singh-accused was arrested in this case on 20.11.2017. Now he is facing trial in the court of Additional Sessions Judge, Bathinda. He had moved an application for grant of regular bail before the Court of Sessions, which was assigned to Additional Sessions Judge, Bathinda, who vide order dated 21.2.2018, dismissed the same, as such he has knocked at the door of this Court, with a similar prayer, which his being opposed by the State counsel.

I have heard learned counsel for the petitioner, learned State counsel, besides going through the record.

A perusal of the FIR goes to show that the complainant had named Ranjit Singh @ Ghanta Singh and his wife Dhattu Kaur, as well as Hardeep Singh s/o Darshan Singh, their neighbours, for the reason that the alleged kidnapper of his daughter, namely, Raj Singh had been visiting their house. However, simply for that reason, it cannot be presumed that they were also part of the conspiracy of kidnapping the minor daughter of the complainant. The culpability of the present petitioner shall be determined during the trial, which is stated to be at the initial stage, in as much as, only two PWs are stated to have been examined so far. The conclusion of the trial is likely to take some time, as such I find that it shall be in the fitness of

things, if the present petition is accepted and the petitioner is ordered to be released on bail.

Therefore, the petition is accepted and the petitioner is ordered to be released on bail subject to furnishing of personal bonds and surety bonds to the satisfaction of the Chief Judicial Magistrate/trial Magistrate, Bathinda. The Chief Judicial Magistrate/Duty Magistrate may impose any term and condition found proper and suitable to ensure that the petitioner does not abscond. It is also made clear that in case the petitioner is found indulging in any criminal act after being granted bail vide this order, the order shall be liable to be withdrawn.

21.9.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No