

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM M-47023 of 2017

Date of decision : 15.02.2018

Rinku

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vinod Kumar, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. DAG Punjab.

RAJAN GUPTA J.

Petitioner has prayed for pre-arrest bail in a case registered against him under section 365 IPC vide FIR No. 176 dated 11.11.2017 at police station Mukerian, District Hoshiarpur. It has been urged before the court that petitioner has been implicated in the case only on the basis of suspicion. There is no evidence on record to connect him with the commission of crime. Thus, he deserves to be enlarged on bail. Learned State counsel has opposed the prayer on the ground that allegations against the petitioner are serious. According to him, petitioner has kidnapped the son of the petitioner who is still untraceable.

FIR was registered on the statement of Meera Devi. She alleged that on 03.09.2017 at about 6.30 p.m. her son Ravinder Kumar @ Kaka went out for walk alongwith the pet dog and did not return. She had apprehension that he had been kidnapped by Rinku (petitioner herein) as he was pressurizing her son to give divorce to her wife with whom he was having illicit relations before marriage. She also alleged that on the previous

day of the occurrence i.e. 02.09.2017, petitioner issued threats to her son to kill him. He used to send him threatening messages. After registration of FIR, investigation ensued and is in progress. It is evident that allegations against the petitioner are serious. He is alleged to have kidnapped son of the petitioner who is still untraceable. During investigation, investigating agency obtained the call details between petitioner and son of the complainant. Keeping in view entire facts and circumstances of the case particularly the fact that investigation is at a crucial stage, I am of the considered view that no case for grant of pre-arrest bail is made out. Investigation has to be taken to its logical end for which custodial interrogation may be necessary. Petition is, thus, without any merit and is dismissed.

February 15, 2018
Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No