

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

CRM-M-6872-2017 (O&M)

Date of decision:12.01.2018

Vijay Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. V.S. Rana, Advocate for the petitioner.

Mr. S.K. Yadav, DAG, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Learned State counsel has filed in Court today a response by way of affidavit of the Deputy Superintendent of Police, Detective Jind and the same is taken on record. Copy thereof has been furnished to counsel opposite.

Petitioner seeks concession of anticipatory bail in case FIR No.447, dated 09.11.2016, under Section 364-A IPC, registered at Police Station Sadar Jind, District Jind.

Briefly noticed, allegations against the petitioner and co-accused are of having kidnapped brother of the complainant and having sought ransom money for releasing him from the unlawful confinement.

On 02.03.2017, while issuing notice of motion, the following order was passed by this Court:

“Learned counsel contends that the petitioner is being repeatedly roped in FIRs. As many as 28 FIRs have been registered against the petitioner out of which he stands acquitted in 22 FIRs.

Notice of motion for 22.03.2017.

The proposal of arrest, if any, is held in abeyance till the next date of hearing.”

Learned State counsel upon instructions from ASI Bhagwat Dayal apprises the Court that the petitioner has since joined investigation. State counsel further submits that investigation has been completed and even the challan has been presented.

Even though, prayer for anticipatory bail was opposed on the plea that the petitioner is a habitual offender but a perusal of the reply filed in Court today reveals that as against 28 FIRs having been registered against the petitioner, he has already earned acquittal in 22 cases.

In the considered view of this Court, circumstances do not warrant custodial interrogation of the petitioner in the present case.

Petition is allowed. Order dated 02.03..2017 passed by this Court is made absolute.

Disposed of.

12.01.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |