

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

CRM-M-54414-2018 (O&M)

Date of decision : 14.12.2018

Garry Bhardwaj

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Monty Goyal, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

Mr. Bikram Singh, Advocate for complainant.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

This is a petition filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in case FIR No. 249 dated 10.11.2018 (Annexure P-1) under Sections 365, 148, 149 and 506 of the Indian Penal Code registered at Police Station Dugri, Police Commissionerate Ludhiana, District Ludhiana.

Heard.

As per the version given in the FIR, the allegations against the present petitioner are that on 10.11.2018 at about 12.40 P.M, accused- Abhijeet Mand @ Avi having naked Kirpan, Garry Bhardwaj-present petitioner having rod, Mohit Sood having baseball, Simran Singh @ Sabi having Khanda and one known person having stick came out of the car outside the Kamal hari Salon in Ludhinana. On being pointed out by Garri Bhardwaj-present petitioner, to be the boy to be caught i.e., the

complainant-Gursimranjit Singh @ Gaggu, the complainant ran away and entered the Sweety Garments. The accused entered in the said shop and dragged him and put him in the dark blue colored Scoda Rapid Car bearing registration No. PB-91-8991 and took him to Dugri Road. Another Swift Desire car bearing registration No. PB 10FR0513 was also found parked there. Mukal Rajput Dugari Inder (Mahesh Kumar) and Simran Singh @ Sabi and two unknown persons were sitting there. He was shifted to the Swift Desire Car. Two motor cycles were also parked there. Thereafter, the petitioner was taken in Swift car and thrown out of the car near the City Center Hotel Ludhiana.

Learned counsel for the petitioner contends that on 8.11.2018, present petitioner was caused injuries for which report was lodged but no action was taken. He has denied his involvement in the crime.

On the other hand, learned State counsel has contended that police has recovered the CCTV footage which shows that crime was committed. Considering that kidnapping was done in broad day light in the market at Ludhiana, I am of the view that thorough interrogation of the petitioner is required and free hands is to be given to the police. The plea that the petitioner is a juvenile offender is no ground to grant anticipatory bail to him.

Dismissed.

(KULDIP SINGH)
JUDGE

14.12.2018
preeti

Whether speaking / reasoned
Whether Reportable:

Yes
No