

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

CRM-M-9024-2018

Date of decision:-25.4.2018

Narender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Ravinder Hooda, Advocate
for the petitioner.

Mr.Neeraj Poswal, AAG, Haryana.

H.S. MADAAN, J.

This petition for regular bail has been filed by petitioner - Narender – an accused in FIR No.416 dated 16.9.2017, under Sections 364-A, 387 read with Section 34 IPC and 25 of Arms Act, registered at Police Station Pataudi, District Gurugram.

Briefly stated, facts of the case as per prosecution story are that on 15.9.2017 at about 9:00 a.m. when complainant Satish Kumar was going from his house to his shop on foot, a vehicle was brought to halt at a place between liquor vend and Canara Bank. The vehicle was being driven by Parveen Chauhan son of Ramesh Chauhan, acquainted with the complainant for last 8-10 years; Parveen Chauhan inquired from the

complainant as to where he was going and when complainant stated that he was going to his shop, then Parveen Chauhan asked him to sit in his vehicle and he would drop him there; the complainant accordingly boarded the vehicle; two boys from Government school sat on the front seat; when the vehicle reached near Railway Station, the complainant asked Parveen Chauhan to drop him but Parveen Chauhan stated that he would drop him at some distance ahead. However, he was taken to Shiv Mandir, Inchhapuri via Mirzapur Milkpur; then Parveen Chauhan told the complainant that he needed Rs.20 lakhs asking the complainant to arrange for that amount of money. The complainant expressed his inability to do so, as such, he was given beatings by the occupants of the vehicle and they threatened to kill him; the complainant was made to talk to his brother asking him to come alone and bring money. Accordingly Sh.Hari Om, a real brother of the complainant came at the disclosed place; he had brought Rs.1,00,000/- with him, which were given to the accused; thereafter the accused had left. The incident was reported to the police. Formal FIR was registered. Accused Parveen Chauhan was arrested on 18.12.2017. He suffered a disclosure statement in which he identified the place of occurrence. He had disclosed the names of his co-accused, who were arrested. After completion of investigation, Parveen Chauhan and Narender (present petitioner) were sent up to face trial and trial against them is pending. The petitioner had moved an application for regular bail but the same was declined by Additional Sessions Judge, Gurugram vide order dated 19.1.2018, as such, he has approached this Court with same request.

Notice of the petition was given to respondent – State and counsel representing the State puts in appearance.

I have heard learned counsel for the parties besides going through the record.

The allegations against the petitioner are very serious and grave that he along with his co-accused had abducted the complainant and demanded Rs.20 lakhs as ransom threatening that in case the amount was not paid and police was informed, the complainant would be killed. The petitioner and other kidnappers had in fact received a sum of Rs.1 lakh from the brother of complainant. Such type of incidents cannot be taken lightly, otherwise that would encourage the potential criminals to take to the path of crime resulting in a spurt in such type of crime, which is uncalled for. There is every possibility of the petitioner taking to path of crime again, if released on bail and also to tamper with the prosecution evidence and even to abscond.

Finding no merits in the petition, the same stands dismissed.

25.4.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No