

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

**CRM-M No.10696 of 2019
Decided on: 14.03.2019**

Sita Ram

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Sanjeev Goyal, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.161 dated 13.10.2017, for offence punishable under Sections 365, 506, 34 of the Indian Penal Code (in short 'IPC') (Section 364-A IPC added later) and 25/54/59 of the Arms Act, registered at Police Station Lehra, District Sangrur.

Counsel for the petitioner has submitted that one of the co-accused of the petitioner namely Harpal Singh has been granted the concession of bail vide order dated 23.01.2019 passed in CRM-M No.52041 of 2018. It is further stated that as per the allegations in the FIR, the incident is of 10.10.2017 and the FIR was registered on 13.10.2017. It is alleged in the FIR that the complainant – Hari Om son of Hari Chand was called by 02 unknown persons on the pretext of taking him to Police Station Lehra, whereas he was abducted in a car bearing registration No.HR-59C-5588, and thereafter, the accused persons demanded a ransom in order to release him and also gave

beatings to him on account of non-payment of ransom and thereafter, left the complainant in Daulatpur Railway Station, Uklana, District Hisar.

Counsel for the petitioner has further submitted that when the co-accused Raju was arrested after a period of 01 year, the police has added Section 364-A IPC. It is also submitted that the petitioner is in custody since 04.11.2018 and the co-accused of the petitioner namely Raju has also been granted the concession of regular bail vide order dated 23.01.2019 passed in CRM-M No.51183 of 2018. It is also submitted that the petitioner is not involved in any other case.

Counsel for the State, on instructions from ASI Satparkash, has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; the co-accused of the petitioner have already been granted the concession of bail and conclusion of the trial is likely to take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

14.03.2019

yakub

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No