

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

CRM-M No. 32871 of 2019

Date of decision: 11.09.2019.

Nawabdeen

..... Petitioner.

Versus

State of Punjab

..... Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Binat Sharma, Advocate, for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 43 dated 20.05.2018, under Section 365 of the Indian Penal Code, 1860 ('IPC' - for short) (offence under Sections 364, 302, 201, 120-B IPC and Sections 25 and 27 of the Arms Act, 1959 added later on), registered at Police Station Tarsikka, District Amritsar.

Learned counsel for the petitioner contends that although the petitioner is named in the FIR, but the first informant, who is the father of the deceased, had relied upon the statement of Mohammad Sharif in doing so. He also contends that Mohammad Sharif, in his statement, has not named the petitioner as an accused in the case.

Heard.

It is manifest from the reading of the FIR that the first informant has stated that his son, namely, Laddi along with Sari had left at around 08:00 p.m. Later, Mohammad Sharif had called Laddi at around 08:44 p.m. and he had replied that he was all right. Mohammad Sharif had heard someone's voice in the backdrop that he should be tied as he keeps visiting police

station regularly. After that Laddi's phone was switched off and his son and his friend Sari are not traceable till date.

It is also mentioned in the FIR that the complainant is convinced that his son and Sari have been abducted by the petitioner and others. Moreover, this is the second petition for anticipatory bail. The previous petition bearing CRM-M No. 24514 of 2019 was dismissed as withdrawn on 18.07.2019.

The petitioner has specifically been named in the FIR by the first informant. He is accused of abduction and murder. Therefore, in view of the seriousness of the allegations, I do not find it to be a fit case to grant the concession of anticipatory bail to the petitioner.

Consequently, the petition stands dismissed.

After dictation but before signing the order and in the course of hearing of petition of co-accused bearing CRM-M No. 46923 of 2018 listed at item No. 210, it is pointed out by learned counsel for the complainant that petitioner Nawabdeen had also preferred petition, i.e. CRM-M No. 13240 of 2019, for anticipatory bail, which was also dismissed as withdrawn on 10.04.2019. The factum that the petitioner had preferred the petition bearing CRM-M No. 13240 of 2019 for anticipatory bail has been verified from the record, but the same has not been disclosed in this petition. Therefore, this is the third petition for anticipatory bail.

11.09.2019
Ramesh

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No