

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-44731-2019(O&M)

Date of Decision: November 22, 2019

Ballu

.....Petitioner(s)

versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vishwajit Bedi, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.43 dated 20.05.2018 under Sections 364, 365, 302, 201 and 120-B of the Indian Penal Code and Sections 25 and 27 of the Arms Act registered at Police Station Tarsikka, District Amritsar (Rural).

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein five co-accused have been specifically named as the persons who had kidnapped the son of the complainant. The motive with regard to kidnapping and disappearance of the son of the complainant is attributed to Gamma and the petitioner has no connection with Gamma. He also contends that the petitioner has been arraigned as an accused on the statement of one Amam Hussain recorded after 6 days who is stated to be a witness that the petitioner along with ten others was last seen in the company of the

deceased. He also states that similarly situated co-accused, namely, Liakat Ali @ Toti and Saipahia have already been granted anticipatory bail by this Court.

This Court, by the order dated 19.10.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of their arrest, He was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Baljeet Singh, states that the petitioner has joined investigation but there is also extra judicial confession of petitioner before accused-Shariff Mohd.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 19.10.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

November 22, 2019
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[ANUPINDER SINGH GREWAL]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No