

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

229

CRM-M-47117-2019 (O&M)

Date of decision : 26.11.2019

Mohd. Bashir

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

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

Mr. N.K. Banka, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 43 dated 20.05.2018, under Sections 302, 201, 365 and 120-B of the Indian Penal Code, 1860 besides Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Tarsikka, District Amritar.

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 Aman Hussain, 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 contends that the similarly situated co-accused, namely, Liakat Ali @ Toti has already been granted anticipatory bail by this Court by order dated 11.09.2019 passed in CRM-M No.46923 of 2018.

This Court, by order dated 05.11.2019, had directed the petitioner to appear before the Investigating/Arresting Officer and join the investigation and in the event of his arrest, he was 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, upon instructions from ASI Baljit Singh, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation and not required for custodial interrogation, the order dated 05.11.2019 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.

(ANUPINDER SINGH GREWAL)
JUDGE

November 26, 2019

sonia gugnani

Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No