

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

Crl. Misc. M - 2666 (O&M)
DATE OF DECISION: 08.07.2020

Manish Rai Petitioner.
Vs.

State of PunjabRespondent

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. A.S. Sandhu, Advocate, for the petitioner.
Mr. Luvinder Sofat, DAG, Punjab.

ALKA SARIN, J (Oral)

Heard through Video Conferencing.

This is a petition under Section 439 Cr.P.C for grant of regular bail to the petitioner in FIR No. 129 dated 08.10.2019, registered under Sections 323, 364-A, 384, 148, 149, 509, 120-C of the Indian Penal Code, 1860, at Police Station Phase II, Mohali, District SAS Nagar (Mohali).

It has been contended by the learned counsel for the petitioner that the parties have since entered into a compromise. He further states that the allegations in the present FIR are that Ram Chander S/o Raj Pal was kidnapped by the accused named in the FIR and a ransom call was made demanding of ₹2 lac from his father, however, a perusal of the challan reveals that no call records of any call having been made by the accused to the mobile number of the father of complainant were found during investigation and no recovery has either been effected.

Per contra, learned State counsel, on instruction from ASI Nirmal Singh, has contended that there is no case for bail is made out in the present case. He has further confirmed that a perusal of the challan reveals that there are no call records of any call having been made between the mobile numbers of the complainant's father and those of the accused.

In view of the above and without commenting on the merits of the case considering the fact that the petitioner has been in custody since 08.10.2019, and the conclusion of the trial is likely to take sometime, the petitioner be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

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

July 08, 2020
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(ALKA SARIN)
JUDGE

Whether reportable

Yes/ No.

Whether speaking

Yes/No