

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-34643-2020 (O&M)
Date of Decision:- 5.11.2020

Salman ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Randeep Singh Dhull, Advocate for
Mr. Sanjeev Majra, Advocate, for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.158 dated 8.2.2019 under Sections 365, 120-B, 201, 302, 34, 364-A, 404 IPC at Police Station Chandnibagh, District Panipat.
2. The FIR was lodged at the instance of Bilkesh (mother of deceased) wherein it is alleged that her son Shadab aged 22 years went to market at about 10:00 a.m. on 8.2.2019 but did not return back. It is alleged that at about 1:20 p.m. the complainant received a telephonic call from his son on her mobile phone where he intimated that he had

been abducted. Although the complainant and other members of her family made efforts to look for complainant's son but he could not be traced. It is further the case of prosecution that till date the whereabouts of the complainant's son could not be known.

3. The learned counsel for the petitioner has submitted that he is nowhere named in the FIR and has been falsely implicated on the basis of some secret information allegedly received by the police to which no credence can be attached.
4. Opposing the petition, the learned State counsel has submitted that petitioner-Salman and co-accused Gaurav have been arrested on the basis of secret information received against them regarding their involvement in the present case and that pursuant to arrest of the petitioner, he got recovered a mobile phone of the deceased which would show his complicity in the matter. Learned State counsel has further informed that the petitioner along with Gaurav had suffered a disclosure statement that they along with Sanjay (co-accused) had abducted Shadab for the purpose of getting ransom but since they were unsuccessful in extracting the ransom, they murdered Shadab and threw his dead body in a river. Learned State counsel upon instructions from ASI Parminder Singh has informed that the petitioner has been behind bars since the last about 1 year and 8 months and is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and while bearing in mind that the petitioner is stated to be nominated as an

accused on the basis of some secret information received subsequently, the veracity and admissibility of which would be debatable and while also noticing that the petitioner has already been behind bars since the last about 1 year and 8 months and that till date none of the cited 16 PWs has been examined and while also noticing that co-accused Sanjay has already been released on bail, the petition merits acceptance and is hereby accepted. The petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

November 5, 2020

mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No