

108 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40948-2020
Date of Decision: 14.12.2020

TARIQ

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Ms.Amrita Nagpal, Advocate for the petitioner
Mr.Kuldeep Tewari, Additional AG Haryana

Deepak Sibal, J. (Oral)

Case taken up through Video Conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.0460 dated 11.11.2019 registered under Sections 342, 364-A, 365, 420, 394, 397, 120-B IPC and Section 25 of the Arms Act, 1959 at Police Station Firozepur Jhirka, District Nuh.

Briefly stated, the case of the prosecution is that one Rafiq introduced the complainant to the petitioner, who was stated to be a priest/ Maulvi for preparing a Tabeez to help the complainant's son to get a job in the army. Thereafter, on the asking of the petitioner and his wife the complainant reached village Sakras from where the petitioner took him on his motorcycle to a house where the petitioner's co-accused robbed and kept the complainant at gunpoint and demanded ransom of Rs.15 lakhs for his release. The petitioner's co-accused, armed with a country made pistol, then came at the appointed place where they snatched the money brought by the complainant party but, after a scuffle, all but one of the petitioner's co-

accused were apprehended by the complainant's relatives.

Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the case; even if the contents of the FIR are taken as gospel truth, though vehemently denied, the only role attributed to the petitioner is that he took the complainant and left him outside a house from where he was abducted and that he has no role to play either in his abduction or seeking of ransom.

As per the prosecution the petitioner who is known as Hazrat Maulvi, on the pretext of making a Tabeez for the complainant, allured and took him on his motorcycle to a house in village Sakras from where his co-accused, who were armed with deadly weapons, abducted the complainant and thereafter sought ransom for his release.

In view of the alleged active role played by the petitioner in a serious crime he is not entitled to the grant of the concession of anticipatory bail.

Dismissed.

It is clarified that the above observations have been made by this Court to decide the present petition seeking anticipatory bail in which investigation is still going on and therefore these observations be not construed as opinion on the merits of the case.

14.12.2020
gk

(Deepak Sibal)
Judge

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