

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.7554 of 2021 (O&M)
Date of Decision.10.03.2021

Uday Singh ...Petitioner

Vs

State of Haryana ...Respondents

2. CRM-M No.2602 of 2021 (O&M)

Sonu ...Petitioner

Vs

State of Haryana ...Respondents

3. CRM-M No.7469 of 2021

Satpal Rathi ...Petitioner

Vs

State of Haryana ...Respondents

4. CRM-M No.7879 of 2021

Mahipal ...Petitioner

Vs

State of Haryana ...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Keshav Pratap Singh, Advocate
Mr. S.S. Siao, Advocate &
Mr. Sunil Kumar Rana, Advocate
Mr. P.S. Ahluwalia, Advocate
Mr. Ranjeet K. Jaswal, Advocate
for the petitioner(s).

Mr. Gurbir Singh Dhillon, AAG, Haryana.

-. -

JAISHREE THAKUR J. (ORAL)

These are the petitions that have been filed under Section 439

Cr.P.C. for grant of regular bail in the FIRs registered at Police Station

Madlauda, District Panipat, details of which are as under:-

Uday Singh	FIR No.292 dated 29.07.2020 under Sections 364-A, 379-B, 342, 120-B and 34 IPC.
Sonu	FIR No.292 dated 29.07.2020 under Sections 364A, 379-B, 120-B, 34 IPC.
Satpal Rathi	FIR No.292 dated 29.07.2020 under Sections 323, 201, 341, 342, 364-A, 379-B, 384, 387, 120-B and 34 IPC and Sections 25/27 of the Arms Act, 1959.
Mahipal	FIR No.292 dated 29.07.2020 under Sections 342, 364-A, 379A, 34, 120-B IPC (Sections 323, 201, 341, 379-B, 395, 397, 384, 387, 506 IPC and Sections 25 and 27 of the Arms Act added later on).

Counsel for the petitioner(s) herein would contend that the petitioners herein have been falsely implicated in the said matter wherein they were not named. It is only on the basis of supplementary statement given by the complainant, who was an employee of Larsen & Tourbo that they have been named as persons, who had allegedly abducted two employees namely Ved Pal and Rajat Dutta of the aforesaid company. It is argued that in fact both of them have subsequently been examined and they have not supported the version of the prosecution and therefore, custody of the petitioners herein would not be sustainable under the said FIR. It is further submitted that the petitioners herein are not involved in any other FIR, while further contending that the trial is likely to take some time to conclude as 37 witnesses have been cited, out of which only five have been examined.

Learned counsel appearing for the respondent-State opposes grant of regular bail to the petitioners herein by contending that the petitioners herein were seen present in the area in a video downloaded by the cyber crime cell and call records of the petitioners would also indicate

their presence at the spot, while further contending that the complainant is yet to be examined, who is currently residing in Calcutta.

I have heard learned counsel for the parties. Since the investigation is complete and the challan has already been presented and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioners behind bars. The instant petitions are allowed and the petitioners are directed to be released on regular bail on execution of adequate personal/ surety bond of an amount of Rs.1 lakh each to the satisfaction of concerned trial Court/Duty Magistrate. However, the respondent-State is always at liberty to move an appropriate application for examining the complainant through video conferencing. Any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

March 10, 2021

Pankaj*

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No