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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-38741-2020
Date of Decision: 08.01.2021

Baljinder Singh @ Gaggi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Navkiran Singh, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl. A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition for anticipatory bail filed under Section 438 Cr.P.C. on behalf of the petitioner, in case FIR No.130 dated 16.07.2017, under Sections 302, 201, 120-B and 34 of the IPC, registered at Police Station Sadar Tarn Taran, District Tarn Taran.

[2]. Short reply by way of Affidavit of Deputy Superintendent of Police, Sub Division Khadoor Sahib, District Tarn Taran has been filed on behalf of the respondent.

[3]. Heard both sides.

[4]. It is reported that in pursuance of previous order passed on 24.11.2020, the petitioner has joined the investigation. No tangible headway could however be made in the investigation. As already noted by the Coordinate Bench in the previous order, it is a matter of record that the FIR was lodged 2½ years after the missing of the complainant's son, and the petitioner as well as co-accused Kuldeep Singh had originally been

exonerated in the inquiry. Subsequently, investigation was taken up afresh. Co-accused Kuldeep Singh was thereafter granted anticipatory bail by the Co-ordinate Bench in CRM-M-10331-2019 on 08.01.2020. The petitioner stands on a similar footing in the case.

[5]. As such, at this stage considering the lack of any tangible material to link the petitioner with the disappearance of the complainant's son, the interim bail granted to him on the last date is hereby confirmed. However, the respondent would at liberty to seek cancellation of the same/custodial interrogation of either of the accused persons, in case any tangible material showing their involvement in any criminal act concerning the complainant's missing son if forthcoming at any stage.

[6]. Disposed off.

08.01.2021*Bhumika***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No