

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

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CRM-M-30573-2022(O&M)
Date of Decision : **August 16, 2022**

AVTAR SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

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CRM-M-31668-2022

TARANPREET SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Atamjit Singh Thind, Advocate
for the petitioner in CRM-M-30573-2022.

Mr. J.S.Virk, Advocate
for the petitioner in CRM-M-31668-2022.

Mr. Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

CRM-24567-2022 in
CRM-M-30573-2022

For the reasons recorded in the application, the same is
allowed, subject to all just exceptions.

Main cases

Both these cases are being taken up together for final
disposal since the prayer in both the cases is for grant of regular bail to
the petitioners and arise from the same FIR i.e. FIR No. 49 dated
23.6.2022 under Sections 363/365/384/385/342/323/506/120-B IPC,
registered at Police Station Ghanie Ke Bangar, Batala, District Gurdaspur
and, therefore, both the cases are taken up together with the consent of

learned counsels for the parties.

It has been submitted by both the learned counsels for the petitioners that the petitioners are in custody from 23.6.2022. They submitted that it is a case where false and fabricated story has been formulated by the complainant in connivance with her husband and infact there was an employer and employee relationship between petitioner-Avtar Singh and Manmeet Kumar, who is the husband of the complainant and so far as the petitioner-Taranpreet Singh is concerned, he has no role to play in the entire scene and he is not even employed in the company and has been falsely implicated in the present case. Both the learned counsels for the petitioners submitted that both the petitioners are not involved in any other case and they have clean antecedents. The learned counsel for the petitioner-Avtar Singh has submitted that the story made by the complainant is completely concocted story from the fact that the alleged kidnapping happened at 1.30 p.m. whereas there is a digital transaction of Rs.1800/- by Manmeet Kumar, husband of the complainant in favour of one of the petitioners, namely, Avtar Singh at 2.00 p.m. which goes to show that such kind of digital transaction could not have been possible. He submitted that the other co-accused, namely, Gorroban Singh and Harjit Singh have been granted interim anticipatory bail by this Court. He further submitted that it is a case of no injury and, therefore, both the petitioners may be considered for the grant of regular bail.

On the other hand, the learned State counsel has submitted that it is correct that the petitioners are in custody from 23.6.2022 and it is a case of no injury and the matter is still at the investigation stage. He

submitted that it is also correct that both the petitioners are not involved in any other case. However, he has opposed the grant of regular bail to the petitioners on the ground that it is a case where allegedly the petitioners had kidnaped the husband of the complainant for ransom.

I have heard the learned counsels for the parties.

The petitioners are in custody from 23.6.2022. Although the investigation of the case is going on but as per the learned counsels of the parties no recovery has to be effected from anybody and it is a case of no injury. Apart from the same, it is not the case of the State that in case the petitioners are released on bail then they may influence any witness or may tamper with any evidence or may flee from justice. Both the petitioners are stated to be not involved in any other case.

Therefore, considering the totality of the circumstances of the present case, I deem it fit and proper to grant bail to the petitioners.

Consequently, both the petitions are allowed. The petitioners are ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petitions only.

(JASGURPREET SINGH PURI)
JUDGE

August 16, 2022
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No