

ANIL JOSHI **..PETITIONER**
VERSUS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

CRM-M-10562-2023

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behalf of the complainant and submits that there are CCTV footage depicting the involvement of the petitioner in the abduction of Gautam Gupta and also the call details indicating his involvement in the crime.

Learned State counsel submits that CCTV footage and call details have not yet been procured. She seeks time to get instructions and submit reply in the matter.

Adjourned to 12.05.2023.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioner contends that in pursuance of interim directions, the petitioner has joined the investigation. It has been further submitted that the challan in the case bearing FIR No.07 dated 15.01.2023, under Section 21 of NDPS Act, registered at Police Station Bassi Pathana, District Fatehgarh Sahib against Gautam Gupta, the son of the complainant has been submitted in the Court and charge has also been framed. The present FIR has been registered with an attempt to create false defence version for Gautam Gupta who is involved in a case registered under NDPS Act.

4. Learned State counsel has not disputed the fact that the petitioner has joined the investigation but has opposed the bail application on the score that the call details of the petitioner and the co-accused are yet to be procured. Moreover, the car used in the occurrence has not yet been recovered.

5. It has not been disputed that the mobile phone numbers of the petitioner and the co-accused are with the police officials. It has also not been disputed that the challan has been presented against the alleged victim Gautam Gupta, who is the son of the complainant in a case under NDPS Act. The version as emerging in the present case may be a defence version of the son of the complainant in a case that has been registered under NDPS Act. Learned State counsel has also

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submitted that even after the registration of the instant case, the FIR against the son of the complainant has neither been cancelled nor any action has been initiated against the police officials who as per the version of the complainant, had falsely implicated his son.

6. In view of the aforesaid submissions, the order dated 01.03.2023, granting interim bail to the petitioner is made absolute.

7. The petition is allowed.

12.05.2023

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No