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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-.-

CRM M 36859-2023
Date of Decision 31.07.2023

Muhamad Hussain and another*Petitioners*
versus
State of Punjab ...*Respondent*

Coram Hon'ble Mr. Justice Rajbir Sehrawat

Present: Mr. Gurlaz Mohammed, Advocate for the petitioners

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Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioners in case FIR No. 47 dated 27.03.2023, registered under Sections 364, 342, 323, 506 of the Indian Penal Code (on 25.05.2023 vide GD No. 30 Section 364 IPC deleted and Sections 367 and 374 IPC added and vide GD No. 22 dated 26.05.2023, Section 342 IPC deleted and Sections 344 and 346 IPC added) at Police Station Adampur, District Jalandhar Rural.

It is submitted by counsel for the petitioners that case against the petitioners is totally false and concocted. The petitioners have not done anything illegal and they had not detained any body against their will at their premises. The allegation against the petitioners has been levelled for political reasons by the Panches of the village. Even the allegations qua getting forcible work and even giving beatings to the alleged detenues are totally wrong. No objection had ever been raised by any one of the alleged

detenue earlier in this regard. Hence, the petitioners deserve to be protected against their arrest.

Notice of motion.

Mr. Sandeep Singh, Additional Advocate General, Punjab, accepts notice on behalf of the respondent State.

Counsel for the State, on instructions from ASI Gurmeet Ram has submitted that the petitioners were keeping some bonded labourers and had illegally confined them at their premises. The police had received a complaint from the public representatives of the area, including the panches of the village. On the information, the police had conducted raid at the premises of the petitioners. Two persons were got released by the police from there. After having been released, the said detenues have made a specific statements that they were forcibly confined by the petitioners at their premises, they were given beatings and were exploited. Hence, the petitioners do not deserve any concession of anticipatory bail. To unearth the true dimensions of the crime, involving the petitioners in such activities, custodial interrogation of the petitioners is required.

In view of the above submissions of the counsel for the State, this Court does not find it appropriate to grant concession of anticipatory/pre-arrest of bail to the petitioners, at this stage.

Dismissed.

(Rajbir Sehrawat)
Judge

July 31, 2023
mohan bimbura

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