

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222 CRM-M-45149-2023
Date of Decision.:29.04.2024

Ajay Singh @ NegiPetitioner
Vs.
State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. B.S. Jaswal, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

Learned counsel for the petitioner has placed on record copy of statement of PW-2 Anil Sood and that of PW-1 Shivam Sood as recorded by the trial Court.

2. The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.38 dated 03.02.2023 registered under Sections 365, 384, 148, 149 of the IPC and Section 25/27 of Arms Act (Sections 411, 364-A, 120-B of the IPC added later on) registered at Police Station Sadar, District Amritsar.

3. FIR was lodged on the statement of Shivam Sood, as per which on 02.02.2023, he was coming towards his home in a car when he was waylaid by four persons who had come on a Verna car and who kidnapped him and demanded money. Complainant called his father on phone, who gave ₹10,00,000/- to the culprits and then the complainant was dropped.

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4. Learned counsel for the petitioner contends that petitioner has been falsely implicated. Even as per the FIR, culprits had come in muffled face. Learned counsel has further drawn attention towards the statement of complainant Shivam Sood as PW-1 and his father Anil Sood as PW-2, both of whom clearly stated in their statement that they can not identify the accused persons present in the Court.

5. Learned State counsel could not refute the aforesaid contentions.

6. The custody certificate placed on record by learned State counsel would reveal that petitioner is in custody for the last 01 year 02 months and 08 days. He is not involved in any other case.

7. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

April 29, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No