

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).3300/2012

(From the judgement and order dated 28/03/2012 in CRMM
No.8979/2012, of The HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH)

AMANDEEP SINGH @ LADDI Petitioner(s)

VERSUS

STATE OF PUNJAB Respondent(s)

(With appln(s) for stay of arrest and office report)

Date: 28/05/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE DR. JUSTICE B.S. CHAUHAN
HON'BLE MR. JUSTICE DIPAK MISRA
(VACATION BENCH)

For Petitioner(s) Mr. M.K. Choudhary, Adv.
Ms. Namita Choudhary, Adv.

For Respondent(s) Mr. Anil Grover, AAG, Punjab
Ms. Noopur Singhal, Adv.

UPON hearing counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed
order.

(O.P. Sharma) (M.S. NEGI)
Court Master Court Master
(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.873 OF 2012
(Arising out of SLP(Crl.) NO. 3300 of 2012)

AMANDEEP SINGH @ LADDI Appellant(s)

VERSUS

STATE OF PUNJAB Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

The appellant, son-in-law of the informant, has
been arraigned as an accused for the offences

punishable under Sections 363/366-A of the Indian Penal Code in connection with FIR No. 30 dated 29.2.2012 in P.S. Fatehgarh Sahib. It is worth noting the allegation in the FIR is that he has been instrumental in kidnapping the second daughter of the informant for getting her married with his younger brother.

The appellant apprehending the arrest moved the learned Additional Sessions Judge, Fatehgarh Sahib for grant of anticipatory bail who, by order dated 20 th March, 2012 rejected the same on the ground that the sister-in-law had not yet been recovered by the police and there would be need for his custodial interrogation.

Being dissatisfied with the aforesaid order, he approached the High Court in Criminal Miscellaneous-M No. 8979 of 2012 for grant of privilege under Section 438 of the Code of Criminal Procedure but the High Court without discussing the factual matrix dismissed the same vide order dated 28.3.2012 observing that no case for grant of anticipatory bail is made out.

The learned counsel for the appellant submitted that he had no role in the alleged crime and, in fact his wife the elder daughter of the informant, has supported his stand. It is urged by him that if he is taken into custody, the marital life between his wife and him shall be jeopardized. It is also urged that the FIR has been lodged due to obstinate attitude of the father-in-law.

Learned counsel for the State opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties, we are inclined to direct that in case the appellant is arrested in connection with FIR No. 30 dated 29.2.2012 in P.S. Fatehgarh Sahib, he shall be enlarged on bail on a personal bond of Rs. 10,000/- with one surety of the like amount to the satisfaction of the arresting Officer with a further condition that he shall co-operate with the investigation and not leave India without prior permission of the Court.

The appeal is accordingly allowed.

.....J.
(Dr. B.S. CHAUHAN)

.....J.
(DIPAK MISRA)

NEW DELHI
MAY 28, 2012.