

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

CRM-M-25236 of 2015

Date of Decision: December 17, 2015

Nasheem

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Altaf Hussain, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH, J.

This is a petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.205 dated 23.03.2015 under Sections 363, 366A IPC and Sections 3(2) (5) of Scheduled Castes and Scheduled Tribes Act registered at Police Station Nuh, Mewat.

The allegations against the petitioner-Nasheem in this regular bail application are that a prosecutrix who is aged around 17 ½ years was enticed and taken away by him on the pretext of marriage and was kept under captivity. It is contended by learned counsel for the petitioner that the girl and the boy had voluntary against the wishes of the parents of the girl who is Hindu and the boy who is Muslim entered into a wedlock and had filed petition for protection bearing CRM-M-9854 of 2015 before this Court and had made statements before this Court and has relied on Annexure P/1, an order passed by this Court,

whereby, the girl has claimed that she is major and has undergone marriage with the present petitioner.

The bail application is opposed by learned State counsel on the ground that the girl has levelled allegations against the petitioner in her statement under Section 161 Cr.P.C.

In view of this sad state of affairs and keeping in view that the petitioner is in custody since 9.5.2015 and that trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

December 17, 2015
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