

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

CRM M-34502 of 2015

Date of decision : 02.11.2015

Deepak Kumar

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Gurcharan Dass, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. A.G. Punjab.

RAJAN GUPTA J.

This is a petition filed under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner vide FIR No. 287 dated 15.08.2015 under Sections 363, 366-A, 376 & 120B IPC at Police Station Basti Jodhewal, Ludhiana.

Learned counsel for the petitioner submits that no role has been assigned to the petitioner in the entire FIR. No overt act has been attributed to the petitioner. Thus, he deserves the concession of pre-arrest bail.

Learned State counsel has opposed the prayer for bail. According to him, allegations against the petitioner are serious and prosecutrix deposed before the concerned court under section 164 Cr.P.C.

I have heard learned counsel for the parties.

FIR was lodged on the statement of complainant Ashok Kumar. He alleged that on 15.08.2015 he was out of station in

connection with his work. His wife went out to purchase milk from the shop and when she returned she found that her elder daughter was not present in the house. Investigation ensued and it was found that accused Chandan who was residing near the house of complainant had abducted the daughter of the complainant with the help of Deepak Kumar (petitioner herein). Accused Chandan was arrested on 01.09.2015 and prosecutrix was recovered from his possession. Resultantly, statement of the prosecutrix was recorded under section 164 Cr.P.C. in which she had named and mentioned the role of present petitioner.

In view of nature of crime committed, I am of the considered view that no case for grant of anticipatory bail is made out. Petition is without any merit and is hereby dismissed.

November 02, 2015

Ajay

(RAJAN GUPTA)
JUDGE