

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

**Criminal Misc. No. M-36348 of 2015
Date of decision: 11.12.2015**

Gurcharan Singh

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Baljinder Singh Virk, DAG, Haryana
for the respondent – State.

Daya Chaudhary, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. on behalf of the petitioner-Gurcharan Singh for grant of regular bail in case FIR No.34 dated 24.02.2015 registered under Sections 323, 363-A, 370 and 120-B of Indian Penal Code at Police Station Parao, District Ambala.

Learned counsel for the petitioner submits that the FIR was registered due to some misunderstanding between the petitioner and the complainant whereas no offence is made out against the petitioner. It has come in the statements of the complainant as well as her son that no such incident has occurred. Complainant has also

admitted in her cross-examination that no such complaint was made by her before the Police authorities and her signatures were obtained on some blank paper. It has also been mentioned that her son was not abducted by the accused persons. Similar statement has been made by son of the complainant that he was never abducted by the accused persons and he went as per his free will.

Learned State counsel has not disputed the statements made by the complainant and her son.

In view of the submissions made by learned counsel for the petitioner and the statements of complainant and her son as both of them have not supported the case of the prosecution; the petitioner is in custody since 18.07.2015 and no purpose would be served by keeping him in custody, the present petition is allowed and the petitioner (Gurcharan Singh) is directed to be released on regular bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court.

11.12.2015
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(DAYA CHAUDHARY)
JUDGE