

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

**CRM-M No.38185 of 2015 (O&M)
Date of Decision: 18.11.2015**

Jagdish Kumar

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. P.K.S.Phoolka, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent along with A.S.I. Karamjit Singh.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail to the petitioner in case FIR No. 82 dated 08.05.2015, under Sections 363 and 366 of the Indian Penal Code, registered with Police Station Canal Colony, District Bathinda.

As per the allegations in the FIR lodged by the father of the prosecutrix, who is stated to be 17 years of age, the petitioner/accused being a married man with two children, had allured and kidnapped his minor daughter.

It is contended that the prosecutrix in her statement under Section 164 Cr.P.C. (**Annexure P-2**) and as also in her testimony (**Annexure P-4**) has conceded that she had left her parental home of her own volition. The petitioner is stated to be in custody since 10.05.2015.

Learned State Counsel, on instructions from ASI Karamjit Singh, is unable to refute the aforesaid factual position and further stated that two out of eight prosecution witnesses have been examined including the prosecutrix.

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Bathinda.

Disposed of.

November 18, 2015

Gagan

**(JASWANT SINGH)
JUDGE**