

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

CRM-M No.38418 of 2015

Date of decision: 20th November, 2015

Faisal @ Fajul Hasan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

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

Mr. Deepak Sabharwal, Addl. Advocate General, Haryana.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Faisal alias Fajul Hasan in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.205 dated 23.03.2015 registered at Police Station Nuh, District Mewat under Sections 363/366-A/452 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012, are that his brother, principal accused Nasheem on 22.03.2015 had fled away with minor daughter of complainant Sunita.

Contentions of the learned counsel for the petitioner that there is no direct role assigned to the petitioner much less any

evidence and the only allegations against him are that the principal accused had used his motorcycle to run away.

Learned State counsel has fairly conceded at the bar that except ownership of the motorcycle nothing tangible has come on record. The petitioner is stated to be in custody since 31st August, 2015.

Taking into consideration the submissions made by counsel for the petitioner, the fact that culpability if any shall be determined at the trial together with the fact that trial will take a long time to conclude, this Court is of the opinion that no useful purpose will be solved by keeping the petitioner in custody. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Mewat.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

November 20, 2015
rps