

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

**CRM-M-24997-2016
Date of decision: 06.09.2016**

Pankaj Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. G.S. Verma, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

Ritu Bahri, J.

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.382 dated 12.11.2015, under Sections 363, 366-A, 376 IPC and Section 3/4 of Protection of Children from Sexual Offences Act, registered at Police Station Basti Jodhewal, District Ludhiana.

As per allegations in the FIR, daughter of the complainant namely Nisha Sharma had been taken away by the petitioner on the pretext of marriage. Her date of birth is 18.09.1999. She was 16 years of age at the time of occurrence and was studying in 10th Class as per verification done by the investigating agency. The petitioner is in custody since 15.11.2015.

Learned State counsel, on instructions, has informed that summons were issued twice, but daughter of the complainant did not appear

before the trial Court for making her statement. Summons issued to the

complainant and his daughter have not been received back so far. Even the whereabouts of the complainant are not known.

Heard.

Keeping in view the period of incarceration of the petitioner and the fact that trial may still take some time for its conclusion, this court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

06.09.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No