

Sr. No. 221

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

**CRM No. M- 28340 of 2015
Date of Decision: 08.02.2016**

Deepak

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Vikasdeep Singh, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.35 dated 06.04.2015, under Sections 363, 366-A of Indian Penal Code, registered at Police Station Sultanpur Lodhi, District Kapurthala.

Counsel for the parties have been heard.

FIR was registered on the statement of Krishna Wanti. Accusation against the present petitioner was with regard to having allured away grand-daughter of the complainant, namely, Priyanka aged 15 ½ years on 04.04.2015 during the late evening hours.

It has gone uncontroverted that Priyanka was recovered on 06.04.2015 and in the company of the present petitioner.

Petitioner was arrested on 06.04.2015 itself.

Investigation in the case having been completed, challan was

presented on 05.06.2015. Charges have also been framed. Prosecution evidence is still to be led. Trial as such is at the very initial stage.

It would be apposite to take note that in the statement of Priyanka recorded under Section 164 Cr.P.C. she has stated that she had accompanied the present petitioner of her own will and accord. That apart State counsel upon instructions from ASI Harjit Singh would submit that in the medical examination conducted on Priyanka, it has been opined that there is no physical assault.

Without making any observations on merits, the present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Kapurthala.

08.02.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**