

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

CRM-M-30916 of 2016 (O&M)

Date of decision : 17.10.2016

Rahul

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: None for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab

Mr. Rahul Makkar, Advocate for
Mr. L.M. Gulati, Advocate
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in FIR No.113 dated 28.07.2016 registered under Section 365 of the Indian Penal Code (for short 'the IPC') at Police Station City Batala, Police District Batala.

It has been averred that the petitioner has been falsely implicated in the present FIR as he had love affair with the daughter of the complainant, namely, Vandana, who being major eloped with petitioner. The said Vandana also made a statement to this effect before the police. No

recovery is to be effected from the petitioner.

On the other hand, the learned counsel appearing for the complainant and the learned State counsel state that in the absence of the complainant at her house, the petitioner and his mother-Sunita had taken away the daughter of the complainant, Vandana with them on the pretext that her mother had met with an accident.

I have heard the learned counsel for the parties and carefully perused the entire record on file.

The statement of the prosecutrix has not yet been recorded. In the light of the fact that the petitioner is charged with serious allegations that he went to complainant's house in her absence and persuaded her daughter to accompany him on a false pretext, and she was recovered after three days. In the circumstances, no case for bail is made out at this stage.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

17.10.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No