

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31672-2016

Date of Decision:- 14.09.2016

Gaurav Ahuja

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Chirag Kundu, Advocate, for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

RITU BAHRI, J. (Oral)

Present petition is for release of petitioner on regular bail in FIR No.352 dated 02.05.2016, under Sections 346, 363 and 376 IPC and under Section 4 of the POCSO Act, registered at Police Station City Gurgaon.

Learned counsel for the petitioner submits that daughter of the complainant was missing on 01.05.2016. She was found on 06.05.2016 by her father himself and produced before the police where while recording statement under Section 164 Cr.P.C., she has not attributed any role to the present petitioner for kidnaping.

Learned State counsel, on instructions from investigating officer, has informed that the charges in the present case have been framed on 26.07.2016 and out of total 17 witnesses, none has been examined so far.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

The petitioner was arrested on 07.05.2016. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. The final conclusion of trial will take a long time.

In view of above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Gurgaon.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

September 14, 2016
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No