

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

**Crl. Misc. No.M-32041 of 2016
Date of decision : 23.11.2016**

Mohammad Usman

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, Asst. A.G. Punjab.

Mr. Saurabh Kapoor, Advocate
for the complainant.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 287 dated 24.10.2014, registered at Police Station Jodhewal, District Ludhiana City, under Sections 363, 366-A IPC (Section 365 IPC mentioned in the head note of the challan under Section 173 Cr.P.C. but challan was presented only under Section 363/366-A IPC and Section 8 of POCSO Act has been added by the trial Court at the time of framing of charges).

The complainant's daughter went missing on 14.10.2014. The FIR was got registered 10 days later. The police could not recover the girl. Later it was found that the girl had made a call to Anuj. The call was made from the mobile of the petitioner. The police arrested the petitioner in

March, 2016. Initially the petitioner had only stated that he had met a unknown girl at the railway station and she had used his phone to make a call to someone and thereafter, he did not see her. The police made some more inquiries and found the location of the phone of the petitioner and the girl near a Dargah, the next morning. The location of the phone of the petitioner was also around that area.

I have heard the counsel for the petitioner at great length. There is a confessional statement made by the petitioner. The question whether that can be considered by the Court is for the trial Court to examine. In the confessional statement, the petitioner has stated that he had taken the girl to a hotel and they stayed there for a night and next day he had given Rs.200/- to her and she had left him. The girl has still not been recovered. The allegations are serious. No case for bail is made out. The trial is yet to commence.

The petition is dismissed.

23.11.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No