

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

Crl. Misc. No. M-45250 of 2016

Date of decision :- 23.12.2016

Bobby

....Petitioner

versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Harinder Singh, Advocate
for the petitioner

Ms Manpreet Dhaliwal, A.A.G, Punjab

None for respondent No. 2

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No. 30 dated 03.02.2016, registered at Police Station City Kharar, District Mohali (S.A.S Nagar), who has been booked for having committed the offence punishable under Section 363/366 IPC and Section 4 of POCSO Act.

The allegation against the petitioner that he had kidnapped the daughter of the complainant by enticing her.

Learned counsel submits that petitioner and daughter of the complainant was having an affair. As per birth certificate of the prosecutrix, her date of birth is 08.07.1998 and further she has given an affidavit dated 06.09.2016 that she is residing happily with the petitioner.

Learned State counsel submits that the prosecutrix kanchan is in jail in Muradabad as she submitted forged documents for registration of

her marriage with the petitioner. However, learned State counsel submits that the statement recorded under Section 164 Cr.P.C of the prosecutrix is in favour of the petitioner.

Heard.

Petitioner is in custody since 06.10.2016

Keeping in view the fact that the trial is likely to take some time to conclude and the fact that the prosecutrix has turned major, the present petition is allowed. Petitioner is ordered to be released on bail during pendency of the trial of the present case, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Mohali (S.A.S Nagar).

23.12.2016

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No