

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

**Crl. Misc. No. M-1080 of 2017
Date of decision :- 27.01.2017**

Sukhjinder SinghPetitioner

versus

State of Punjab ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ramneek Vasudeva, Advocate
for the petitioner

Ms. Anmol Grewal, DAG, Punjab

RITU BAHRI, J. (Oral)

Petitioner who is in custody since 07.07.2016 is seeking grant of regular bail, in a case arising out of FIR No. 94 dated 06.07.2016, registered at Police Station Aloh, District Fatehgarh Sahib, who has been booked for having committed the offence punishable under Section 363/366-A/380/457/120-B IPC (challaned under Sections 363/366/376-A/120-b IPC and Section 6 of POCSO Act).

Petitioner is real brother of the main accused Gurvinder Singh @ Giri against whom there is allegation of kidnapping of minor daughter namely Akvir Kaur of the complainant, who at that time was 17 years and 11 months.

Learned counsel contends that the co-accused Nirmal Kaur (mother of the petitioner) has also been granted regular bail by this Court on 05.12.2016 (P-2).

Learned counsel submits that Akvir Kaur and brother of the

petitioner were having love affair and they even performed marriage and sought protection from the Court of learned Sessions Judge, Ludhiana and the protection was granted to them vide Annexure P-3 colly.

Learned counsel submits that a bare perusal of statement of the prosecutrix given under Section 161 Cr.P.C shows that no role has been attributed to the present petitioner.

Learned State counsel on the other hand does not dispute that the role attributed to the present petitioner is similar to that of his mother, who has been granted regular bail by this Court on 05.12.2016 (P-2)

Heard.

Keeping in view the fact that the trial is likely to take some time to conclude and the fact that the co-accused have also been granted regular bail by this Court, 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, Fatehgarh Sahib.

27.01.2017
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No