

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

CRM -M-14717 of 2017 (O&M)

Date of decision: 31.05.2017

Jiyarul and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sandeep K. Sharma, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Surinder Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioners have sought regular bail in FIR No. 50 dated 05.03.2017, registered under Section 370 of IPC, at Police Station GRP (Inc.), District GRP, Jalandhar.

The learned counsel for the petitioners refers to Annexure P-1 (colly.) whereby the parents of the children who were allegedly shown to be used in trafficking given their respective affidavits to the effect that their children were went to Jalandhar for spending vacation with his uncle i.e. petitioner No.1 and thus, the petitioners have committed no offence as alleged by the police. The petitioners are in custody since 05.03.2017.

On the other hand, the learned State counsel opposes the bail

application and states that the children being minor were intended to be brought for trafficking and there is no document on record to establish the relationship of the petitioners with the children recovered. He further states that subsequently Section 374 of IPC has also been added.

Heard.

Considering the affidavits (Annexure P-1 colly.) and the fact that the children stands recovered; the petitioner are in custody since 05.03.2017; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioners be admitted to bail during the pendency of trial, on their furnishing bail bonds and surety bonds to the satisfaction of the CJM/Duty Magistrate/trial Court.

Needless to mention that since Section 374 of IPC has been added subsequently, therefore, this order shall remain in subsistence for the added Section.

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

31.05.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No