

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

CRM-M No. 6609 of 2017(O&M)

Date of decision: 8.3.2017

Rehm Ali @ Liaqat Ali and anotherPetitioners

VERSUS

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Ms. Avinash Mandla, Advocate for the petitioners.

REKHA MITTAL, J.(Oral)

The petitioners pray for grant of regular bail in FIR No.81 dated 19.09.2016 registered with Police Station Kanwan, District Pathankot for offence punishable under Sections 363 and 366-A of the Indian Penal Code, 1860 (in short 'IPC').

Notice of motion.

Mr. Ankur Jain, AAG, Punjab, accept notice on behalf of respondent-State.

Counsel for the petitioner has submitted that the alleged kidnapped girl namely Reshma performed marriage with Rehm Ali @ Liaqat Ali and both of them filed a petition seeking protection to their life and liberty which was disposed of by this Court vide order dated 16.12.2016 (Annexure P-3). It is further submitted that Reshma is residing in her matrimonial home and she is carrying pregnancy of three months. It is further submitted that challan has been presented in the Court and conclusion of trial is likely to take its own time. The last submission made by counsel is that as per Aadhaar Card of Reshma her date of birth is

01.01.1997, therefore, she was more than 18 years of age on the date of alleged occurrence.

Counsel for the State, on the contrary, has opposed the prayer for bail with the submission that as per date of birth of the girl recorded in the school, she was born on 05.06.2003, thus, she was barely more than 13 years old at the time of occurrence. However, it has been conceded that Reshma is presently residing in her matrimonial home.

Be that as it may, it is undisputed that on completion of investigation, challan has been presented in the Court and conclusion of trial is likely to take its own time. There is no denial that the alleged kidnapped girl is presently residing at her matrimonial home. Without commenting upon merits of the case, the petitioners shall be released on bail subject to furnishing bail bonds to the satisfaction of the trial Court. However, they shall abide by the following conditions:-

- (i) they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him/her from disclosing such facts to the Court;
- (ii) they shall not leave India without previous permission of the Court.

MARCH 8, 2017

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no