

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

Crl. Misc. M 24924 of 2018 (O&M)
Date of decision: 9.7.2018

Sheikh Raju

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rajinder Singh Malik, Advocate,
for the petitioner.

Ms. Gagandeep Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The petitioner herein has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No. 510 dated 26.12.2017, under Sections 363, 366-A IPC registered at Police Station Kundli, District Sonapat.

Learned counsel for the petitioner contends that, in fact, a perusal of the statement recorded under Section 164 of the Code of Criminal Procedure, annexed as Annexure P/1 with the petition, would reflect that the the prosecutrix had not been kidnapped and she had gone to meet her brother in Bengal of her own free will. It is also argued that as on date, neither the complainant nor the prosecutrix are not coming forth to get their statements recorded. The trial is likely to take some time. No useful purpose would be served by keeping the petitioner behind bars till the conclusion of

the trial. He prays that the petitioner be admitted to regular bail.

Ms. Gaganpreet Kaur, learned AAG, Haryana opposes the bail application, while submitting that the allegations levelled against the petitioner are of serious nature.

Without going into the merits of the case and keeping in view the fact that at the first instance when the statement of the prosecutrix was recorded under Section 164 of the Code of Criminal Procedure, she has not made any allegation of kidnapping against the petitioner and the trial is likely to take some time to conclude, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

9.7.2018

prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No