

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

**CRM-M-25092-2018
Decided on: 23.08.2018**

Bijender Singh @ Vijender

.... Petitioner

Versus

State of Haryana

..... Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

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

Mr. Neeraj Poswal, AAG, Haryana.

H.S. MADAN, J (ORAL)

This petition for regular bail has been filed by the petitioner Bijender Singh @ Vijender, an accused in FIR No.440 dated 04.05.2018, for offences under Sections 363, 366-A and 120-B, registered at Police Station City Ballabgarh, District Faridabad. FIR in this case was registered at instance of Vijay Chauhan, who reported the matter to the police that his daughter (name withheld to conceal the identity) having date of birth 29.12.2000 had been kidnapped by one Subash on 30.04.2018 giving her allurement of marriage, that Subash was residing with his uncle Ajit at Subash Colony, Balabgarh. Then Subash had kept the victim in house of his uncle Ajit, who had rendered him help. Formal FIR was registered. Investigation in the case started. The accused was arrested in this case on 16.05.2018. He had moved an application for regular bail which was dismissed by Additional Sessions Judge, Faridabad, as such, he has approached this Court asking for similar relief. His request is being opposed by the State counsel.

The petitioner is not named in the FIR. In the statement under Section 164 Cr.P.C. of the victim, she has not named the petitioner as one of the culprits. The only allegation against him is that he was in telephonic contact with Subash, after kidnapping of the victim by him. The victim has since been recovered, challan qua petitioner has been filed, but it is at the erroneous stage. The conclusion of the trial is likely to take some time. The guilt of petitioner shall be determined during the trial.

In view of the above, I find that it would be in fitness of things if the present petition is allowed. It is ordered accordingly. The petitioner is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Faridabad subject to the following conditions : -

- (i) he shall appear in the Court on each and every date of hearing.
- (ii) he shall not give any threat or intimidation to the prosecution witnesses.
- (iii) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one otherwise to furnish affidavit in that regard.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the order shall be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

23.08.2018

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No