

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-33866 of 2017
Date of Decision: 16.2.2018**

Mohammad Usman

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Liaqat Ali, Advocate
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

ANITA CHAUDHRY, J

This is the second petition filed by the petitioner seeking regular bail in FIR No. 287 dated 24.10.2014 registered at Police Station Jodhewal, District Ludhiana City under Sections 363, 366-A IPC (Section 365 IPC added later on) and Section 8 of the POCSO Act.

The first petition was dismissed on 23.11.2016.

Counsel for the petitioner contends that a missing report was lodged and the girl could not be recovered even till now and the only evidence which the police could collect was a call made from the mobile of the petitioner. It was urged that the girl went missing on 14.10.2014 and the FIR was registered after 10 days. The counsel submits that the girl had made a call to Anuj from the mobile of the petitioner. He states that the petitioner had met an unknown girl at the railway station and the girl had asked for the phone and thereafter he did not see her. The counsel further contends that the police has not been able to recover the body or the girl and

they have only examined two witnesses till now. The counsel submits that they are ready to furnish local surety.

Petitioner is in custody since 28.3.2016. The trial is indeed taking time.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate. Petitioner will not be absent on any date before the trial Court.

(ANITA CHAUDHRY)
JUDGE

February 16, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No