

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

CRM-M-53940-2018

Date of Decision: 11.12.2018

Aakeel

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM : HON'BLE MS. JUSTICE JAISHREE THAKUR

Present : Mr. Sarfraz Hussain, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G. Haryana.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.349 dated 18.06.2018, under Sections 363, 366, 365, 376, 328, 506, 34, 120-B IPC at Police Station Quilla, Panipat, District Panipat, Haryana.

Learned counsel for the petitioner contends that there are no allegations under Section 376 IPC against the petitioner herein while submitting that role attributed to him is that he helped in kidnapping the daughter of the complainant. It is argued that allegations as set out in the FIR are patently false since only role attributed to the petitioner is that when his uncle run away with the prosecutrix i.e. daughter of the complainant, he helped them. It is further contended that his uncle and the prosecutrix have approached this Court while filing CRM-M-26416-2018 seeking protection of their lives and liberty and it was allowed.

I have heard learned counsel for the parties.

In view of the fact that there is no allegation relating to Section 376 IPC against the petitioner herein who is only nephew of the main

accused as also the fact that investigation is complete and his custodial interrogation is not required, the petitioner herein is entitled to bail. Hence, keeping in view the fact that trial is likely to take some time to conclude, the present petition is allowed 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.

11.12.2018
rajeev

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**