

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

CRM-M-1976-2019

Date of decision: January 22, 2019

Mohd. Sajad

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Amit Sharma, Advocate
for the petitioner.

RAJ SHEKHAR ATTRI, J.(ORAL)

Petitioner is seeking regular bail in case FIR No.0121 dated 09.07.2016, under Sections 346, 363, 366-A, 376 of the Indian Penal Code and Sections 8 and 10 of the Protection of Children from Sexual Offences Act , 2012 registered at Police Station Division No.4, Ludhiana.

Briefly stated, it is a case of the prosecution that minor prosecutrix aged about 14 years had gone to market and she did not return therefore, application for her missing and kidnapping was lodged. However, prosecutrix suffered a statement before the police and categorically stated that on 4th July, 2016 at about 06:30 pm, petitioner took her to a house where she made captive for three months and during this period, she was set to sexual intercourse.

Learned counsel for the petitioner also pointed out certain discrepancies in the deposition of the prosecutrix as well as her parents' statements.

I have heard learned counsel for the petitioner and gone through the record.

At this stage, this court is not to critically examine the evidence available on record.

Learned counsel for the petitioner placed reliance upon the judgment of this court titled as *Bajrang Giri Vs. State of Haryana, 2018(3) Law Herald 1959*. But the facts of this case are distinguishable and of no help to the petitioner.

Keeping in view the material available on record and seriousness of the offence, this court is of the view that petitioner is not entitled for the concession of regular bail.

Petition stands dismissed accordingly.

(RAJ SHEKHAR ATTRI)
JUDGE

January 22, 2019
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No