

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

CRM-M-10403-2019

Date of decision: March 12, 2019

Harjit Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Manu Loona, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Ms. Gurpreet Kaur, Advocate
for the complainant.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioner-Harjit Singh in case FIR No.001 dated 03.01.2019, registered for the offences punishable under Sections 363, 366-A and 120-B of the Indian Penal Code, at Police Station Arniwala (Fazilka).

FIR was lodged by the father of the prosecutrix on the basis of suspicion.

It is a case of the prosecution that on the intervening night of 31.12.2018 and 01.01.2019 at about 12:30 p.m. (midnight), the prosecutrix was found absent from her bed. After due search, she could not be recovered. The allegations have been levelled against Pardeep Singh for kidnapping her along with his companions namely, Boota Singh @ Bunti, Harjit Singh, Gurmeet Singh, Sukhjeet Kaur mother of Gurmeet Singh.

Petitioner is the real paternal uncle (chacha) of said Pardeep Singh.

Learned counsel for the petitioner has submitted that both Pardeep Singh and the prosecutrix had already filed *CRM-M-5514-2019* (Annexure P-2) and they have been granted protection of their life and liberty from the hands of private respondents.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the court.

(RAJ SHEKHAR ATTRI)
JUDGE

March 12, 2019
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No