

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-M-24595 of 2019
Date of Decision: 31.5.2019**

Alishan

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Arjun Veer Sharma, Advocate
for the petitioner (s).

Mr. H.S. Multani, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 439 Code of Criminal Procedure (in short, “Cr.P.C”) for grant of regular bail to the petitioner in case FIR No.121 dated 21.5.2018 registered for the offences punishable under Sections 363, 366-A, 34 of Indian Penal Code (for short, “IPC”) (later on 372 IPC and 8 POCSO Act added) at Police Station Meharban, District Ludhiana.

Heard.

The allegations levelled against the petitioner and his wife are that they kidnapped the minor girl with intent to sell her. However, the girl has already been recovered. Challan has been submitted.

It has been argued that the wife of the petitioner has already been granted bail by this Court vide order dated 25.2.2019 passed in CRM-M-36499-2018.

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-Alishan son of Ashraf is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

May 31, 2019

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No