

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

CRM-M No.45235 of 2019
Date of decision: 29th October, 2019

Bhajan Lal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. K.S. Dhaliwal and Ms. Anchal, Advocates
for the petitioner.

Mr. Amrik Narwal, Dy. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

This first regular bail application under Section 439 Cr.P.C. has been filed by accused petitioner Bhajan Lal, who is in custody since 04.09.2019 in case bearing FIR No.206 dated 20.08.2019 under Sections 363, 366-A, 120-B IPC; Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 pertaining to Police Station Sadar Narwana, District Jind. The brief allegations have been levelled by complainant Sukhdev, father of a minor girl aged around 16 years, alleging that on 19.08.2019 one Kuldeep Saini, principal accused enticed and took away his daughter leading to registration of the present case.

It is during the course of investigations, the girl was got recovered on 31.08.2019 from the custody of co-accused non-applicant Kuldeep Saini in which the petitioner was arrested on 04.09.2019.

Learned counsel for the petitioner Mr. K.S. Dhaliwal Advocate inter alia contends that no specific role is attributed to the petitioner Bhajan Lal and the only allegations that have come about are that he gave a lift to the girl from her village to Tohana on his motor bike and that the petitioner is behind bars since a long time.

On behalf of the State, Mr. Amrik Narwal, Dy. Advocate General, Haryana on instructions from HC Pawan Kumar, does not displace the facts brought before this Court, but has stoutly opposed the grant of bail on the grounds of heinousness of the offence and that if allowed bail the petitioner might influence the trial.

Going through the arguments of the two sides, it is duly conceded at the bar by learned State counsel that in her statement under Section 164 Cr.P.C. the girl has not levelled any allegations against the petitioner and the only allegation is that he gave a lift to the girl from her village to Tohana and that in fact the girl has eloped with the principal accused non-applicant Kuldeep Saini. In view of the own admission of the State and that the petitioner is behind bars since a long time, this Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial

Magistrate/Duty Magistrate, Jind. However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

October 29, 2019
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No