

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-45815-2019 (O&M)

Date of Decision:-31.10.2019

Sandeep alias Kaka

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Parneet Singh Baidwan, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.177 dated 25.9.2018 at Police Station Sadar, Patiala, District Patiala under Sections 363 and 366-A of Indian Penal Code.
2. The FIR was lodged at the instance of Rajinder Kumar, wherein it has been alleged that on 13.9.2018 although his daughter (minor) had left home for going to school but she did not reach the school. The complainant alleged that later he came to know that his daughter had been allured by the petitioner Sandeep and despite efforts having been made by him for locating his daughter she could not be found.
3. The learned counsel for the petitioner has submitted that the FIR came to be lodged under some misunderstanding and that during the course of trial,

when the victim i.e. the complainant's daughter stepped into the witness-box, she has given a clean-chit to the petitioner by specifically stating that she had never been abducted by the petitioner.

4. Opposing the petition, the learned State counsel has submitted that since the prosecutrix was a minor and specific allegations have been levelled in the FIR, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and the fact that the petitioner has been behind bars since the last about one year and that the prosecutrix has resiled, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and it is ordered that the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

31.10.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No