

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

CRM-M-48374-2019

Date of decision: 29.11.2019

PARKASH PARJAPATI

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Rohit Mittal, Advocate
for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G., Haryana.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.106 dated 3.9.2019 under Sections 363, 366-A IPC & Section 16 of POSCO Act at Police Station Women, District Narnaul.
2. The FIR was lodged at the instance of Deepa wherein it has been alleged that the petitioner often used to talk to her daughter over telephone and had also proposed to marry her. It is alleged that complainant's daughter went missing on 3rd September, 2019 and that she had been abducted by Akshay Lal on the pretext of marrying her. Pursuant to recovery of the complainant's daughter, her statement was recorded in terms of Section 164 Cr.P.C. on 4.9.2019 wherein she stated that she had been given beatings by her mother and consequently she had made a telephone call to

her uncle and she went with her uncle to Ambala and that her uncle and Aunt had kept her well. It has further alleged that she had not left her house with Akshay Lal and that she does not wish to take any action either against her uncle, Aunt or Akshay Lal.

3. Learned counsel for the petitioner has submitted that he is neither named in the FIR nor is named in the statement recorded under Section 164 Cr.P.C. and that as such, he deserves the concession of bail.
4. The aforesaid position is not disputed by learned State counsel who upon instructions from ASI Sanju, has further submitted that since the complainant's daughter was recovered from the tea shop of the petitioner therefore, no case for grant of bail is made out.
5. I have considered rival contentions addressed before this Court. Since the petitioner is not alleged to have played any active role in abduction of the complainant's daughter and challan has already been presented further detention of the petitioner will not serve any purpose as conclusion of trial, in its normal course, is likely to take some time. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.
6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

29.11.2019
Gaurav Sorot

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No

