

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

CRM-M-325-2019

Date of decision: January 14, 2019

Sumit Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Shrey Goel, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

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-Sumit Kumar in case FIR No.180 dated 05.07.2018 registered under Sections 363, 366-A read with Section 8 of The Protection of Children from Sexual Offences, Act 2012 at Police Station City Jagraon.

The father has registered the FIR on the basis of suspicion of kidnapping of his daughters. However, one of them was recovered. She suffered a statement that she had married with Vipin with her free consent and both are residing together.

Learned State counsel has placed on record photocopy of the statement of the investigating officer wherein it has stated that both the sisters have married with Vipin and Parveen respectively. First prosecutrix, who is younger daughter of Chand Kumar, has married with Vipin and her elder sister married with Parveen Kumar. Petitioner is brother-in-law of said Parveen Kumar. He has been arrested on 13.07.2018 and since then he is in custody.

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 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 previous permission of the court.

(RAJ SHEKHAR ATTRI)
JUDGE

January 14, 2019

m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No