

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

CRM-M-50621-2019 (O&M)
Date of Decision:- 3.12.2019

Rinku ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Zorawar Singh Chauhan, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana,
assisted by ASI Padam Singh.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Rinku has approached this Court seeking grant of regular bail in a case registered vide FIR No.357, dated 23.7.2019, registered at Police Station Indri, District Karnal, under Sections 363, 366-A IPC and Section 3 of SC/ST Act added later on.
2. The FIR was lodged at the instance of Sushma Rani wherein it has been alleged that on 23.7.2019 her daughter aged about 15 years had

been taken away forcibly by Akash during night time at about 3 am. It is alleged that at about 6 am. her daughter and Akash met complainant's brother-in-law (*devar*) at Railway Station and while her brother-in-law caught complainant's daughter, the accused ran away from the Railway Station. It is further alleged therein that the complainant's daughter disclosed that she and Akash had been dropped at village Newal by brother of Akash namely Rinku on his motorcycle.

3. The learned counsel for the petitioner has submitted that even a perusal of the FIR would show that no incriminating role has been alleged against the petitioner and it is co-accused Akash who is alleged to have enticed away complainant's daughter. Learned counsel has submitted that he has falsely been implicated in the present case solely on account of the fact that he happens to be brother of the main accused Akash.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. It has however been informed that the petitioner has been behind bars since the last about 4 months and that challan already stands presented.
5. Having regard to the facts and circumstances of the case and bearing in mind the nature of role attributed to the petitioner as per the FIR and also that the petitioner has been behind bars since the last about 4 months, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and petitioner-Rinku is

ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

December 3, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No