

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-19943-2020

Date of Decision: 24.08.2020

Samir Kumar Jha @ Kamlesh

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Parthiv K. Goswami and Mr. Rahul Partap, Advocates
for the petitioner.

Mr. Sumit Gupta, Addl. AG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing
due to pandemic Covid-19.

Through this petition under Section 439 Cr.P.C.,
petitioner-Samir Kumar Jha @ Kamlesh in case FIR No. 169 dated
24.05.2020 registered under Sections 346, 364 and 120-B IPC at Police
Station Badshahpur, Gurugram.

According to the prosecution, complainant-Vikram, got
lodged the FIR to the effect that his daughter-prosecutrix was missing
since 22.05.2020 and suspected involvement of co-accused Vivek Kumar
Jha and his family members in the incident. Petitioner is the uncle of
aforesaid Vivek Kumar Jha.

Enquiry report sent by learned State counsel through e-mail
is taken on record. Be tagged at the appropriate place.

In view of enquiry report submitted by learned State counsel and statement of the prosecutrix recorded by the police through whats app call on her mobile No. 9829379519 that she is voluntarily living with Vivek Kumar Jha, on her own free will and consent, after solemnizing marriage with him and none is responsible for her alleged kidnapping, this Court is of the considered opinion that petitioner deserves the concession of regular bail.

Consequently, considering overall facts and circumstances, but without expressing any opinion on the merits of case, the petition is allowed. Petitioner-Samir Kumar Jha @ Kamlesh, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

August 24, 2020
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No