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

CRM-M-5701-2021

Date of decision-27.04.2021

Shyam Sunder

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vishavjeet S.Rishi, Advocate for the petitioner.

Mr. P.S.Walia, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.239 dated 07.11.2019 registered under Sections 363 and 366-A Indian Penal Code, 1860 (Section 376 IPC and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012 added later on) at Police Station Division No.7, District Ludhiana.

The FIR was registered on the statement of Narinder Kumar Sharma, wherein it was stated that he has four children. His eldest daughter, aged 15 years, works in factory. It was alleged that on 26.10.2019, Sham Sunder, who is neighbourer of complainant, enticed away his daughter with the intention to marry her. On these board allegations the above FIR was registered.

Learned counsel for the petitioner contends that the petitioner is in custody for the last more than one year and the trial is not making any progress. He further submits that the petitioner and victim ran away in order to marry each other, therefore his further custody is not necessary he prays for bail.

On the other hand, learned State counsel assisted by ASI Resham Singh has opposed the prayer on the ground that the offence is serious. He on instructions further states that challan stands filed on 11.05.2020, but the charges are yet to be framed. He prays that the petition be dismissed.

During the course of hearing, it is not disputed by learned counsel for the petitioner that as per prosecution, the victim is minor in age.

After hearing the learned counsel for the parties and considering the above background & the nature of the offences, this Court is not inclined to extend the concession of regular bail to the petitioner at this stage.

Dismissed.

(MANOJ BAJAJ)
JUDGE

27.04.2021

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