

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

CRM-M-8420-2020 (O&M)

Date of Decision:-24.3.2021

Akash

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Raghav Sharma, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
assisted by ASI Balraj Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of the case registered vide FIR No.357 dated 23.7.2019 registered at Police Station Indri, District Karnal under Sections 363 and 366-A of Indian Penal Code, wherein offence under Section 3 of SC/ST Act was 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. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and that the petitioner, in any case, deserves the concession of bail on grounds of parity since the co-accused Rinku has already been granted bail by this Court.
4. Opposing the petitioner, learned State counsel has submitted that the petitioner is the main accused, who had enticed away the complainant's daughter and was caught red handed in the company of complainant's daughter. Learned State counsel has further submitted that the petitioner cannot claim parity with the case of co-accused Rinku, who had merely dropped the petitioner and the complainant's daughter at Village Newal. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 1 year and 8 months and is not involved in any other case. It has further been informed that as on date not only 3 out of the cited 15 PWs have been examined.
5. I have considered rival submissions addressed before this Court.
6. Without commenting on the merits of the case but while noticing that the petitioner has been behind bars for a substantial period of about 1 year and 8 months and that only 3 out of the cited 15 PWs have been examined till date, further detention of the petitioner will not serve any useful purpose as conclusion of trial will consume time. The petition, as such, is accepted, and the petitioner is ordered to be released on bail subject to his furnishing bail

bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

24.3.2021
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No