

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

Sr. No.224

CRM-M No.28490 of 2020
DATE OF DECISION: 06.09.2021

Sohan SinghPetitioner

Versus

State of PunjabRespondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video-Conferencing)

Present:- Mr. Vishva Bahl, Advocate
for the petitioner.

Mr. Sarabjit Singh Gill, AAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of bail to the petitioner in case FIR No.0063, dated 29.06.2020, under Sections 363 and 366-A IPC, registered at Police Station Ghuman Kalan, District Gurdaspur.

Learned counsel for the petitioner submits that the petitioner is in no way connected with the crime in question which is evident from the fact that neither was he named in the FIR in question nor was he attributed any role by the complainant. He submits that the name of the petitioner was nominated as an accused on the basis of a disclosure statement allegedly made by the co-accused namely, Rajesh Masih wherein he stated that on the intervening night of 28/29 of June, 2020 he had kidnapped the victim aged 10 years with the active connivance of the co-accused including the

petitioner and thereafter, had driven away with the victim and the accused on a vehicle which was taken on rent by the petitioner.

Per contra, learned State counsel has vehemently opposed the prayer and submissions made by learned counsel for the petitioner. On instructions from SI Gurmukh Singh, learned State counsel has apprised the Court that there are serious allegations levelled against the petitioner of being an active participant in the crime in question. Learned State counsel has further submitted that both the victim, aged 10 years and the complainant, while stepping into the witness box have supported and corroborated the case of the prosecutrix in its entirety. He has further submitted that 06 prosecution witnesses out of 19 cited have been examined and hence the trial would not take much time to conclude.

Heard.

In the wake of serious allegations levelled against the petitioner of enticing away a minor aged 10 years on the pretext of marriage, this Court is not inclined to extend the concession of regular bail.

Dismissed.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

6th September, 2021

Shivani Kaushik

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No