

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

CRM M-5241 of 2022 (O&M)
Date of Decision: February 23, 2022

Bhanparkash @ Bhagat Singh	...Petitioner
Versus	
State of Haryana	 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Manoj Tanwar, Advocate
for the petitioner.

Mr. Gaurav Jindal, Addl. A.G. Haryana.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Bhanparkash @ Bhagat Singh has come up in this third regular bail application under Section 439 of Cr.P.C. in FIR No. 611 dated 18.11.2019 under Sections 365, 364-A, 120-B and 34 IPC registered at Police Station City

Palwal, District Palwal, Haryana the earlier two ones having been dismissed as withdrawn on 20.08.2020 and 20.08.2021.

The brief allegations against the petitioner are that on 18th November 2019 when the minor grand-daughter of complainant Veer Singh aged around 2 ½ years had gone out for purchasing some eatables from a shop was kidnapped by him. It is, subsequent thereto, the child was recovered from the house of the petitioner leading to his arrest.

Upon hearing Mr. Manoj Tanwar, Advocate for the petitioner and Mr. Mr. Gaurav Jindal, Addl. A.G. Haryana and perusal of records.

The contentions of the counsel for the petitioner that there is no allegations against the petitioner of having molested the child nor he did any act against the law and which fact has not been controverted by the learned State counsel together with the arguments of the petitioner side that the petitioner is in custody for almost 02 years and 03 months could not be

displaced by the learned State counsel. Keeping in view of the nature of allegations and incarceration undergone by the petitioner, it is a fit case to grant the bail and, accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

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

Disposed off.

February 23, 2022
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No