

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

Sr. No.209

CRM-M-45196-2021

Date of decision: 24.05.2022

Jassa Singh @ Gurjant Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. A.S. Sandhu, Advocate
for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.106 dated 21.08.2021 registered under Sections 363, 366-A IPC at Police Station Sadar Moga, District Moga.

The petitioner is being prosecuted for having kidnapped a minor girl.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; the petitioner is in custody for last nearly 09 months; there is no other criminal case pending against him; the alleged victim and the complainant (the alleged victim's father) while appearing before the Trial Court as witnesses for the prosecution have categorically deposed that it was not the petitioner who had kidnapped her and that all material witnesses have already been examined before the Trial Court.

Learned State counsel opposes the grant of bail to the petitioner on the ground that he has kidnapped a minor girl.

The petitioner is in custody for last nearly 09 months; there is no other criminal case pending against him; the alleged victim as also her father (complainant) while appearing before the Trial Court has specifically deposed that it was not the petitioner who had kidnapped the alleged victim and all material witnesses of the prosecution have been examined before the

Trial Court.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Moga, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

May 24, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

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