
(2011) 02 P&H CK 0423

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-149 of 2011 (O and M)

Sunder and Another

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision : 07-02-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 439
Penal Code, 1860 (IPC) — Section 363, 366A, 368, 376, 506

Citation : (2011) 1 RCR(Criminal) 883

Hon'ble Judges : Rajan Gupta, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Rajan Gupta, J.—This is a petition u/s 439 Code of Criminal Procedure seeking regular bail in a case registered against the Petitioners under Sections 363, 366-A, 368, 376 and 506 IPC at Police Station City Ballabhgarh, District Faridabad, vide FIR No. 279 dated 28th May, 2010.

2. Learned Counsel for the Petitioners submits that Petitioners have been arraigned as accused in the FIR as they are close relations being maternal and paternal uncles respectively of Rahul, who allegedly abducted the minor girl. He further submits that Petitioners are in custody since August, 2010 and trial is still at its initial stage.

3. Learned State counsel (on the instructions from S.I. Suraj Bhan, who is present in court) has opposed the prayer for bail on the ground that the allegations against the Petitioner are serious in nature. He, however, submits that the case is fixed for recording prosecution evidence before the trial court.

Heard.

4. Keeping in view the aforesaid contentions and the period of incarceration of the Petitioners, I am of the considered view that no useful purpose will be served by detaining the Petitioner in custody any longer. The trial may take long time to

conclude. Thus, without expressing any opinion on the merits of the case, this petition is allowed and the Petitioner is directed to be released on bail to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate, Faridabad.