

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

CRM-M-26809-2015

Date of decision: 24.08.2015

Lalit Pandey

... Petitioner

Vs.

UT of Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Ms. Sharmila Sharma, Advocate
for the petitioner.

Mr. G.S. Chahal, Addl. PP, U.T. Chandigarh.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.61 dated 08.02.2015 under Sections 363, 366 IPC, registered at Police Station Sector-11, Chandigarh.

Learned counsel for the petitioner submits that since the prosecutrix has already deposed before the learned trial Court as PW2 on 23.07.2015 in favour of the petitioner to the effect that she went with the petitioner on her own, she was not forced by the petitioner to accompany him and she has performed the marriage with the petitioner, he is entitled for bail pending trial. She prays for allowing the present petition.

Learned counsel for the State (U.T. Chandigarh) also fairly submits that this is a matter of record that the prosecutrix has deposed in favour of the petitioner in her statement recorded before the learned trial Court on 23.07.2015. Further, he opposes the instant petition contending that

since the prosecutrix was a minor, offence under Section 363 Cr.P.C. would be made out against the petitioner and he is not entitled for bail pending trial. He prays for dismissal of the present petition.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that since the prosecutrix has suffered a statement in favour of the petitioner to the effect that she has married the petitioner, he has been found entitled for bail pending trial.

In view of the above and without commenting anything further on merits at this stage, instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

24.08.2015
vishnu