

PARDEEP VS STATE OF HARYANA

Present: Mr. Parveen Kumar Rohilla, Advocate,
for the petitioner.

Mr. Vikas Malik, DAG, Haryana
for the respondent-State.

Instant petition under Section 439 Cr.P.C. has been filed for grant of regular bail to the petitioner in case FIR No. 984 dated 28.07.2016 under Sections 363, 366-A IPC registered at Police Station City Panipat during the pendency of the trial.

Learned counsel for the petitioner contends that the petitioner and the daughter of the complainant had in fact got married on 01.08.2016 and fearing for their lives approached this Court by filing CRM-M-26611 of 2016 seeking protection and a direction that respondent Nos. 4 to 6 not to interfere in their personal life. By order dated 04.08.2016, a Co-ordinate Bench of this Court granted them this protection. A statement was recorded under Section 164 Cr.P.C. itself shows that she had married the petitioner Pardeep of her own free will. Learned counsel for the petitioner also contends that the investigation is complete and challan has been presented in the Court.

I have heard learned counsel for the parties.

The petitioner and the daughter of the complainant married on 01.08.2016 and thereafter sought protection from this Court, which was granted on 04.08.2016 and in the statement under Section 164 Cr.P.C. the daughter of the complainant voluntarily offered that she had married of her own free will. At that time she was 17 years and 5 months of age.

Since investigation is complete and the challan has been presented and no further investigation is required, the petitioner who has been in custody since 08.08.2016, without expressing any opinion on the merits of the case, is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court, Panipat, subject to the following conditions :-

- (i) He shall comply with the conditions mentioned in Section 437 (3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the him shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the applicant-appellant shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

Further, it is made clear that the petitioner would not try to intimidate or influence the daughter of the complainant, in any manner whatsoever, and in case it is found that he is doing so, the regular bail granted to him shall stand cancelled.

December 09, 2016

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(JAISHREE THAKUR)
JUDGE