

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-8527 of 2016

Date of decision : 16.03.2016

Shiv Charan

..... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Dr. Deipa Singh, Advocate for the petitioner

Ms. Dimple Jain, AAG Haryana

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 200 dated 01.12.2015 registered at Police Station Radaur, District Yamuna Nagar under Section 366 IPC.

Learned counsel for the petitioner contends that the prosecutrix is 19 years old and it was a case of run away marriage and the couple had approached the Court for protection and protection was granted by the Coordinate Bench of this Court. She further contends that the photographs are available on record and investigation is over and challan has been presented.

Learned State counsel submits that the girl had made a statement against the petitioner to the police.

Perusal of the FIR shows that the girl was missing from her village since 26.11.2015. The petition seeking protection was filed wherein it was pleaded that couple had got married on 27.11.2015. The matter was listed in the High Court on 01.12.2015 and protection was granted. The same day the FIR had been registered. The girl thereafter had made a statement that she was under threat and had been kidnapped. The girl is major. The boy and the girl had travelled to Chandigarh together.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bonds to the satisfaction of the trial Court/Duty Magistrate with the rider that petitioner would not temper with evidence.

March 16, 2016

**(ANITA CHAUDHRY)
JUDGE**