

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

CRM-M-16643-2017(O&M)

Date of decision : 16.05.2017

Sunil Kumar alias Sunil

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Ashit Malik, Advocate for the petitioner.

Ms.Dimple Jain, AAG, Haryana.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of regular bail in FIR No. 419 dated 16.12.2016, under Sections 363, 366-A of the Indian Penal Code (in short “the IPC”) and 9 and 10 of Prohibition of Child Marriage Act, 2006, registered at Police Station Pundri, District Kaithal.

Counsel for the petitioner would submit that the instant FIR has been lodged at the behest of the father of alleged kidnapped girl on the allegation that the victim left the house on 15.12.2016 at 11.00 a.m. of her own will. It is further argued that the girl accompanied by the petitioner visited various places and eventually came back on 26.02.2017. It is further submitted that statement of the victim under Section 164 of the Code of Criminal Procedure, 1973 (in short the Cr.P.C.”) was recorded but she has not raised any accusations against the petitioner. It is further argued that on completion of investigation, challan has been presented in the Court but

conclusion of trial is likely to take time.

Counsel for the State has not disputed the factual assertions made by counsel for the petitioner but opposed the prayer for bail.

On a query raised by the Court, counsel for the State has informed that in the statement of the prosecutrix recorded under Section 164 of the Cr.P.C, she has deposed that she voluntarily left her house and performed marriage with the petitioner at Mumbai. It has also been conceded by counsel for the State that the prosecutrix has not levelled any allegation against the petitioner.

Without meaning to express any opinion on merits of the controversy, bail to the petitioner subject to satisfaction of the trial Court. However, he shall abide by the following conditions:-

- (i) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- (ii) He shall not leave the limits of this country without prior permission of the Court.

Petition stands disposed of accordingly.

(REKHA MITTAL)
JUDGE

May 16, 2017
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No