

CRM-M-22549-2017

Date of Decision : 29.08.2017

Som Nath

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL**Present:** Mr. A.S. Handa, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

LISA GILL, JUDGE (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.15 dated 30.01.2015 under Sections 363 and 366-A IPC registered at Police Station Raman, District Bathinda.

Contention noted on behalf of the petitioner while issuing notice of motion reads as under:-

“Learned counsel for the petitioner states that the case has been registered on the complaint of one Krishan Lal with the allegation that the petitioner had allured his minor daughter Neha on the pretext of marriage and action be taken against him.

It is stated that the petitioner and said Neha knew each other since long and after she attained majority, the petitioner has solemnized marriage with her on 1.3.2017. In support of their age and marriage, the Aadhar Cards of Neha and the petitioner are annexed with the petition as Annexure P-2 and P-3, while their Marriage Certificate issued by the Rama Krishna Temple is Annexure P-4. Learned counsel also stated that the petitioner is living happily with his wife Neha.”

Learned counsel for the State, on instructions from ASI Kuldeep Singh, verifies the factum of the petitioner solemnizing marriage with the complainant's daughter. It is further submitted that a cancellation report has been prepared on 11.08.2017 in this case and is likely to be presented.

Learned counsel for the State submits that the petitioner has since joined investigation and his custodial interrogation is not required. No recovery is to be effected from him. There are no allegations on behalf of the State that the petitioner is likely to abscond if released on bail. In fact a cancellation report has been prepared in this case.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 22.06.2017 is hereby made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

(LISA GILL)
JUDGE

29.08.2017

Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No