

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

Crl. Misc. M-29244 of 2017 (O&M)
Date of Decision: September 14, 2017

Jagjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. J.S. Jaidka, Advocate
for the petitioner.

Mr. Abhaypal Singh Gill, AAG Punjab.

Mr. Navin Bawa, Advocate
for the complainant.

Complainant, his wife and young girl are present in person.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.65 dated 25.05.2017, under Sections 363, 366-A of Indian Penal Code, registered at Police Station Sudhar, District Ludhiana.

Counsel for the petitioner contends that the petitioner and daughter of the complainant (prosecutrix/victim) solemnized marriage at Raikot Gurdwara. Complainant-Manjit Singh got the said FIR registered under Sections 363, 366-A of Indian Penal Code alleging that his young minor daughter had been taken out of his custody. On the basis of said

FIR, the petitioner was arrested on 11.06.2017. In this petition, it is alleged that after the marriage, the daughter of the complainant was residing in her matrimonial home along with mother of the petitioner.

The parties were directed to be present in court. Pursuant to the said order, the complainant and his wife i.e. Manjit Singh and his wife Lovepreet Kaur are present in court. The young prosecutrix is also present in court and submits that she has attained the age of 17 years in the month of June 2017. Mother of petitioner-Jagjit Singh is also present in the court and submits that the young girl is residing with her. Mr. Avtar Singh, President of Local Gurdwara is also present in the court.

Parents of the young prosecutrix and mother of the petitioner have stated in the court that they intend to get a formal ceremony again done of the young couple i.e. the petitioner and the young girl and would have no objection in case, the petitioner is released on regular bail.

Learned counsel appearing on behalf of the respondent-State, on instructions from Investigating Officer ASI Tilak Raj also verifies the fact that young girl i.e. daughter of the complainant is currently residing with the mother of the petitioner. Status report and custody certificate filed by the respondent-State are taken on record.

I have heard learned counsel for the parties.

In view of the peculiar facts and circumstances of the instant case, no useful purpose would be served in keeping the petitioner behind the custody. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the

satisfaction of concerned trial Court/Duty Magistrate.

September 14, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No