

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

CRM-M-33078-2017 (O&M)  
Date of decision : 12.09.2017

Suraj

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. Rao Ajender Singh, Advocate for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana,  
assisted by HC Jaideep.

**JITENDRA CHAUHAN, J. (Oral)**

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.117 dated 14.06.2014, registered under Sections 363 and 366-A of the Indian Penal Code, at P.S. Bawal, Distt. Rewari.

It is asserted that the father-in-law of the petitioner has lodged false FIR against the petitioner by concealing the age of his daughter. In fact, her statement under Section 164 Cr.P.C. was recorded where she has specifically stated that she joined the company of the petitioner with her own sweet will. The daughter of the complainant always projected herself to be major. The petitioner solemnized marriage with the daughter of the complainant on 17.02.2017. She is residing at her matrimonial home and at the advanced stage of pregnancy. The petitioner was declared proclaimed offender without effecting service upon him. When the factum of proclamation came to the notice of the petitioner, he himself surrendered to

the process of the Court.

On the other hand, learned State counsel, on instructions, asserts that the daughter of the complainant is still minor. The petitioner was declared proclaimed offender. All the eight prosecution witnesses have been examined.

Heard.

Keeping in view the fact that the daughter of the complainant is still residing at her matrimonial home, he surrendered before the trial Court after having been declared proclaimed offender and all the prosecution witnesses stand examined, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

**12.09.2017**  
*atulsethi*

**(JITENDRA CHAUHAN)**  
**JUDGE**

Whether speaking / reasoned :      Yes      No

Whether Reportable :      Yes      No