

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

CRM M-40884 of 2017.

Date of Decision: 06.11.2017.

Vikramjit Singh @ Kallu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Ashish Aggarwal, Advocate,
for the petitioner.

Ms. Gulnoor Ghuman, AAG Punjab.

Mr. Sourabh Arora, Advocate,
for the complainant.

Prosecutrix present in person.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 Cr.P.C seeking bail in case FIR No.133 dated 30.06.2017 registered under Sections 363, 366 and 376 IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012 at Police Station Gate Hakima, District Amritsar City.

Prosecutrix heard in person.

Learned counsel for the petitioner contends that as per the statement recorded under Section 164 Cr.P.C, the prosecutrix had gone with the petitioner out of her own free will. The marriage had already been solemnized. The petitioner and the prosecutrix performed marriage on 05.07.2017, Annexure P-2. At one point of time, the

marriage was being registered by the complainant however, now the complainant has approved the factum of marriage and the prosecutrix has been residing in the matrimonial home. Affidavit of the complainant has also come on record.

This factual aspect of the matter is not disputed by the learned State counsel as well as learned counsel for the complainant.

Heard.

Considering the statement made by the prosecutrix under Section 164 Cr.P.C and the fact that they have performed marriage, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

06.11.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No