

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

Criminal Misc. No.M- 9710 of 2017(O&M)

Date of Decision: April 26 , 2017.

Kulveer Singh PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Harsh Chopra, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.0007 dated 25.01.2017 under Sections 363/366 IPC registered at Police Station Sandaur, District Sangrur.

It is submitted that the abovesaid FIR was registered at the behest of the alleged victim's mother. This Court on 22.03.2017 passed the following order while issuing notice of motion:-

“It is contended that the petitioner has solemnized marriage with the complainant's daughter on 27.01.2017. CRM No.M-5269 of 2017 was filed by them seeking protection of their life

and liberty. The said petition was disposed of on 17.02.2017. The complainant's daughter though about 17 years of age has solemnized marriage with the petitioner out of her own free will and volition therefore, no offence punishable under Sections 363/366 IPC is made out against the petitioner. Learned counsel for the petitioner submits that the alleged victim is present in Court. She is duly identified by him. The Matriculation Certificate of the victim is produced in Court, a photocopy of which is taken on record subject to just exceptions. The alleged victim states that she has solemnized marriage with the petitioner out of her own free will and she is residing with him even as on date.

Notice of motion for 26.04.2017.

In the meanwhile, petitioner shall appear before the Investigating Officer and fully cooperate in the investigation of this case. In the event of his arrest, petitioner shall be released on interim bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

It is submitted that the petitioner has since joined investigation therefore, this petition be allowed.

Learned counsel for the State, on instructions from HC Jagpal Singh, verifies that the petitioner has indeed joined investigation. His custodial interrogation is not required. It is not denied that the alleged victim is living alongwith the petitioner in her matrimonial home after solemnization of marriage on 27.01.2017.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing

true facts in the Court, if released on bail.

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 22.03.2017 is 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.

April 26 , 2017.
'om'

(**LISA GILL**)
JUDGE

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