

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17770 of 2017 (O&M)

Date of Decision:15.02.2018

Yuvraj Dhiman @ Yogesh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Anmol Malik, AAG., Haryana

Mr.S.S.Nara, Advocate
for respondent no.2.

LISA GILL, J(Oral).

Petitioner seeks the concession of anticipatory bail in FIR No.91 dated 01.04.2017, under Sections 363, 366-A, 120-B IPC and Section 9, 10, 11 of Children Marriage Prohibition Act 2006, registered at Police Station Parao District Ambala.

It is submitted that no offence punishable under Sections 363, 366-A, 120-B IPC and Section 9, 10, 11 of Children Marriage Prohibition Act 2006, is made out against the petitioner as the petitioner and the complainant's daughter solemnized marriage on 09.04.2017. It is submitted that thereafter, a child has been born out of this wedlock. The alleged victim in this case has attained majority as of now and is living happily in her matrimonial home along with the minor child. Moreover, the petitioner has joined investigation and is not involved in any other criminal case. It is thus

prayed that this petition be allowed.

It is noticed that this Court on 26.05.2017 has recorded that the alleged victim was present in Court. The complainant had met his daughter. On specific query, the victim stated that she is happily residing with the petitioner and her date of birth was 20.01.2000.

Learned counsel for the State, on instructions from ASI Kushal Pal, verifies that the petitioner and the complainant's daughter are living together along with the minor child after solemnization of marriage. It is further verified that the victim has attained majority on 20.01.2018. It is verified that the petitioner has joined investigation and is not involved in any other criminal 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 18.05.2017, 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.

15.02.2018
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No

Whether reportable: Yes/No