

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-23388 of 2018
Date of Decision: 01.6.2018**

Jagtar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Gursimran Singh Madaan, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 172 dated 23.12.2017 registered at Police Station Moonak, District Sangrur under Sections 120-B, 376-2(i), 376(2)(n) IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012.

Counsel for the petitioner contends that the petitioner has been booked under the Protection of Children from Sexual Offences Act and under Section 376 IPC as he had married the victim who was over 12 years of age. Counsel further states that there is a dispute between the parents of the victim and the complaint has been lodged by the father and their marriage was dissolved in 2010. Counsel refers to the photographs to show that the marriage ceremony had taken place. Counsel also states the statement of the victim and her father have been recorded and the question of tampering would not arise. Counsel further submits that he is ready to give any undertaking.

The statement of the victim has been recorded in the Court.

She has given her age as 14 years. The complete statement of the victim has been recorded. The victim has stated that she was presently residing with her father. The petitioner is in custody since 23.12.2017.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate on the condition that he would give an undertaking that he would not contact the complainant or her daughter till the trial is over.

(ANITA CHAUDHRY)
JUDGE

June 01, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No