

Criminal Misc. No. M- 37238 of 2017 (O&M)

Date of decision : February 23, 2018

Vimal

.....Petitioner

Versus

The State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Govind Chauhan, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 758 dated 21.07.2017 under Sections 363, 366A IPC registered at Police Station City Karnal.

It is submitted that no offence punishable under Sections 363, 366A IPC is made out against the petitioner as the petitioner and the complainant's daughter have solemnised marriage on 08.08.2017 though against the wishes of the complainant and his family. It is submitted that though the complainant's daughter is still under 18 years of age (approximately 17 years old), a valid marriage has been solemnised. She is living alongwith the petitioner in the matrimonial home in peace and harmony. Moreover, the petitioner has joined investigation pursuant to interim order passed by this Court. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Mahender Singh, verifies that the petitioner and the complainant's daughter have solemnised marriage and she is living in the matrimonial home alongwith the petitioner. The petitioner has joined investigation and is not

reported to be involved in any other criminal case.

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 noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 06.10.2017 is made absolute.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

February 23, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No