

Criminal Misc. No. M- 39970 of 2017 (O&M)

Date of decision : April 02, 2018

Aamir

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. M.D. Khan, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Shiva Khurmi, Advocate for
Mr. Sarfraj Hussain, Advocate
for the complainant.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 352 dated 11.09.2017 under Sections 363, 366A IPC registered at Police Station Tauru District Mewat (Nuh).

It is submitted that no offence under Sections 363, 366A IPC is made out as the petitioner and the complainant's daughter solemnised marriage on 17.09.2017. They also approached this Court by way of filing of CRM-M-36403-2017 seeking protection of their life and liberty. The said petition was disposed of 27.09.2017. It is further submitted that the petitioner and the complainant's daughter are living together in the matrimonial home in peace and harmony. The complainant's daughter, it is submitted, is major. Learned counsel for the petitioner submits that the petitioner has joined investigation, pursuant to interim order passed by this Court. He undertakes to face the proceedings and not abuse the concession of anticipatory bail, if confirmed. It is, thus, prayed that this petition be allowed.

Learned counsel for the complainant opposes this petition while submitting that the victim, in this case, is minor, though it is not denied that she is living with the petitioner after solemnisation of marriage. It is further submitted that FIR No. 105 dated 18.08.2017 has also been lodged at the instance of the present complainant against the petitioner under Sections 342, 120B IPC as well as provisions of Protection of Children from Sexual Offences Act, 2012.

Learned counsel for the State, on instructions from HC Neetu, verifies that the petitioner has joined investigation and he is living together with the complainant's daughter after solemnisation of marriage.

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 26.10.2017 is made absolute.

April 02, 2018
rts

(Lisa Gill)
Judge

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