

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-4320 of 2018

Date of Decision: 23.02.2018

Kuldeep

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rakesh Nehra, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 481 dated 26.07.2017 registered at Police Station City Bhiwani, District Bhiwani under Sections 370(II)A/120-B IPC, Sections 9/10 of the Child Marriage Act and Section 6 of the POCSO Act.

The complaint in this case was lodged by Naseeb who is now one of the accused in the case. He lodged a missing report with respect to his wife who was stated to be 19 years old. After the recovery of the girl she made a statement under Section 164 Cr.P.C. and disclosed that she had gone to her maternal Uncle's house on her own. Complaints had also been given to the Women Commission and the girl was sent for counselling. She was a minor. It appeared thereafter that the girl had been sold 3 times by her sister and her husband. The victim was first sold to Kuldeep (present petitioner) and after sometime she was married to Pinku and lastly to Naseeb. The main accused is stated to be Pooja, the sister of the victim. Pooja was married to

Satbir who was subsequently murdered and Pooja and Naseeb complainant have been arrayed as accused in a separate FIR. The challan has been presented and the prosecutrix has made her statement in the Court. She has not made any allegations against the petitioner. The girl is in safe custody of Bal Sewa Ashram, Bhiwani. She is a minor.

Considering the above, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate with a condition that he would not contact the victim till the trial is over as the charge against him is also under the Child Marriage Act.

(ANITA CHAUDHRY)
JUDGE

February 23, 2018

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