

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Criminal Misc. No. M-6231-2018

Date of Decision: 03.10.2018

Sukhvinder Kaur

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vishavdeep Singh Rana, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Inderjit Singh, J.

Petitioner Sukhvinder Kaur has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.007 dated 12.01.2018, registered at Police Station Panjokhra, District Ambala, Haryana, under Section 420 of IPC and Sections 9 and 10 of the Prohibition of Child Marriage Act, 2006.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

As per the allegation in the FIR, the present petitioner Sukhvinder Kaur, who is the mother of minor Navdeep Kaur, got her married with Gurdeep Singh, who (Navdeep Kaur) was 16 years, 5 months and 21 days of age, at the time of marriage.

It has been brought to the notice of this Court that the marriage

is still subsisting.

In pursuance of the interim order dated 15.02.2018, passed by this Court, the petitioner has already joined the investigation. She is not required for custodial interrogation. Nothing is to be recovered from her. No useful purpose would be served by sending her to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 15.02.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

03.10.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No