

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

CRM-M-10648-2019

Date of decision: March 13, 2019

Ravi Sharma

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Bhupender Singh Saroha, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioner-Ravi Sharma in case FIR No.251 dated 04.11.2018, registered for the offences punishable under Sections 363, 366, 467, 468, 471, 209, 506 of the Indian Penal Code (for short 'IPC'); Sections 9, 10, 11 of Children Marriage Prohibition Act, 2006 and Section 4 of Protection of Children from Sexual Offences Act, 2012, at Police Station Sadar, Panipat, Haryana.

Prosecutrix had married with the petitioner. Both of them had preferred *CRM-M-39231-2018* under Section 482 Cr.P.C. for issuance of directions to official respondents to provide adequate security and protection to their life and liberty from the hands of private respondents, who are her relatives.

This court has disposed of the above petition by passing following order:-

“Without commenting on the legality and validity of marriage between the petitioners, respondent No.2-Superintendent of Police, Panipat, is directed to inquire as to whether the petitioners genuinely need any protection and if so, do the needful.”

However, the mother lodged the FIR with regard to abducting of the minor daughter (prosecutrix). She was recovered during the investigation and she suffered a statement under Section 164 Cr.P.C. wherein she has categorically stated that she performed marriage with the petitioner.

Learned State counsel, on instructions from ASI Parvinder No.210/RTK, has submitted that earlier FIR No.200 dated 07.09.2018 has been registered on the basis of matriculation certificate of the victim, who found major. So, cancellation report has been filed on 17.09.2018 by SHO Virender. Subsequently, mother of the prosecutrix namely, Munni Munesh has handed over date of birth certificate issued by the Municipal Corporation on which present FIR No.251 dated 04.11.2018 has been registered in which victim is shown as minor.

Petitioner is in custody since 04.11.2018. Trial will take some time to conclude.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the court.

(RAJ SHEKHAR ATTRI)
JUDGE

March 13, 2019

m. sharma

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