

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-52708 of 2018(O&M)
Date of Decision: March 05, 2019

Sandeep @ Sunny

.....Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Amit Chaudhary, Advocate
for the petitioner.

Mr. Baljinder Virk, DAG, Haryana.

FATEH DEEP SINGH, J. (Oral)

CRM 7622 of 2019

Heard.

The application is allowed subject to all just exceptions.

Necessary note to this effect on the main petition be
given.

CRM M-52708 of 2018

This order shall dispose off regular bail application under
Section 439 Cr.P.C. moved in FIR No. 269 dated 27.05.2018
registered at Police Station SGM Nagar Faridabad.

Complainant Sagir Khan who happens to be the father of a
girl aged around, as per the stand of the State between 18 to 19 years,
on the day of the occurrence that is on 26.05.2018 around

08.00 a.m. alleged her daughter left her home without informing the family alleging further that the petitioner appears to be have enticed her on the pretext of marriage leading to the registration of the present case and arrest of the petitioner on 13.07.2018.

Mr. Amit Chaudhary, counsel for the petitioner *interalia* contends that the daughter of the complainant and the petitioner have married each other against the wishes of the members of the girl family and has also sought protection from the Hon'ble Rajasthan High Court and has placed reliance on orders dated 06.07.2018 passed by Single Bench in Criminal Misc. No. 3680 of 2018 titled **Smt. Heena @ Anita Vs. Director General of Police, Rajasthan, Police Head Quarter** as well as the photographs of the couple Annexure P-8 numbering two as well as affidavit of the girl Annexure P-7 arguing that subsequently false case has been got registered due to inter caste marriage.

Mr. Baljinder Virk, DAG, Haryana assisted by HC Madan Lal Police Station SGM Nagar Faridabad has opposed the grant of bail on the ground that the accused/petitioner had enticed and taken away the girl under deception and, therefore, if allowed bail would influence the witnesses on their trial.

The facts brought to this Court show that the girl had obtained the orders from Hon'ble Rajasthan High Court vide which she has been shown to a major and 18 years old and she claimed that she had performed the marriage with the petitioner together with the photographs placed on Annexure P-8 and affidavit Annexure P-7 are

corroborative of this fact. The petitioner is behind the bars for more than nine months. Without feeling necessity to advert on the merits of the case else it might prejudice the interest of any party, it is a fit case for grant of bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed off.

March 05, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No