

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

CRM-M-26703-2019

Date of decision:17.10.2019

JAGDEEP SINGH

....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. H.P.S. Ishar, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.245 dated 28.5.2019 under Sections 365 IPC, Police Station Shahabad, District Kurukshetra.
2. The FIR was registered at the instance of Radha Devi wherein it has been alleged that on 25.5.2019 her daughter Roop Kumari aged 17 years 2 months left home without informing anybody.
3. Subsequently, when the complainant's daughter was recovered on 26.8.2019, her statement in terms of Section 164 Cr.P.C. was recorded wherein she categorically stated that she had left home out of her own free will and wishes to reside with the petitioner.
4. Learned counsel for the petitioner submits that he has falsely been nominated as accused in the present case and that admittedly as per

statement of the complainant's daughter recorded under Section 164 Cr.P.C. she had voluntarily left her house and had solemnized marriage with the petitioner.

5. Learned State counsel has however opposed the application on the ground that since complainant's daughter was a little less than 18 years at the time of her marriage, the petitioner does not deserve concession of anticipatory bail.
6. Having regard to the facts and circumstances of the case and bearing in mind statement made by the complainant's daughter under Section 164 Cr.P.C., in my opinion, present case is not such which would warrant custodial interrogation. Accordingly, the petition is accepted and the interim directions issued vide dated 24.07.2019 by this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

(GURVINDER SINGH GILL)
JUDGE

17.10.2019
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No