

**In The High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-33107-2019 (O&M)

Date of Decision:- 18.9.2019

Kulwinder Singh

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Vinod Kumar, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana.

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**GURVINDER SINGH GILL, J. (Oral)**

1. Petitioner-Kulwinder Singh, seeks grant of regular bail in a case registered vide FIR No.168, dated 13.5.2019, registered at Police Station Sadar, Fatehabad, under Sections 363, 366-A IPC (Sections 420, 472 IPC and Section 6 of POCSO Act and Section 9 of Prohibition of Child Marriage Act, 2012 added later on).
2. The FIR was registered at the instance of Satnam Singh wherein it has been alleged that his daughter aged about 15-16 years was missing since 7.5.2019 and although they had made efforts for tracing

her but she could not be found. It is alleged that the complainant had now come to know that Kulwinder Singh with the help of Jeet Singh and Ranjito had enticed away his daughter.

3. Learned counsel for the petitioner has submitted that it is in fact a case where the complainant's daughter had voluntarily accompanied the petitioner and had also solemnized marriage as would be evident from marriage certificate annexed with the petition as Annexure P-1. It has further been submitted that after lodging of the FIR when the police apprehended the petitioner and his wife, the statement of the complainant's daughter i.e. the petitioner's wife was recorded wherein she deposed that she had voluntarily accompanied the petitioner and wishes to reside with him.
4. Opposing the petition, the learned State counsel has submitted that it is a case where the complainant's daughter was a minor and that in fact during the proceedings of trial she has stated categorically to the effect that she had been abducted by the petitioner and that in these circumstances no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court. Keeping in view the aforesaid facts and circumstances and also the fact that challan has already been presented and that the petitioner has been behind bars since the last about 4 months, in my opinion further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and petitioner-Kulwinder Singh be released on regular bail on his furnishing bail bonds/surety bonds to

the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty  
Magistrate, concerned.

**September 18, 2019**  
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**(GURVINDER SINGH GILL)**  
**JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No