

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

CRM-M-42423-2019 (O&M)
Date of Decision:-14.10.2019

Papu ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Arora, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.724 dated 3.12.2017 at Police Station SGM Nagar, District Faridabad under Sections 363 and 366-A of Indian Penal Code and Section 4 of POCSO Act.
2. The FIR was registered at the instance of Maan Singh, wherein it has been alleged that the petitioner had enticed away his daughter aged about 16 years with an intention to marry her.
3. The learned counsel for the petitioner has submitted that the complainant's daughter had voluntarily accompanied the petitioner out of her own free will and had in fact solemnized marriage with the petitioner on 3.12.2017. The learned counsel has further submitted that in fact the complainant's daughter

in her statement recorded under Section 164 Cr.P.C. had also admitted the factum of her marriage with the petitioner.

4. Opposing the petition, the learned State counsel has submitted that since it is a case where the complainant's daughter, who was enticed away by the petitioner, was a minor, no case for grant of bail is made out.
5. Having considered rival submissions addressed before this Court and without making any expression as regards merits of the case and while bearing in mind that the petitioner has been behind bars since the last about 1 year and 9 months, further detention of the petitioner will not serve any useful purpose as the conclusion of trial is likely to take some time. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

14.10.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No