

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

**CRM-M No.47014 of 2019 (O&M)
Date of Decision: 06.12.2019**

Shushil Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case bearing FIR No.131 dated 27.09.2019, under Sections 9 and 10 of the Children Marriage Prohibition Act, 2006, registered at Police Station Bareta, District Mansa.

This Court, while issuing notice of motion on the previous date of hearing i.e. 04.11.2019, passed the following order:-

“ It transpires that marriage of the petitioner was solemnized with daughter of Kirna Rani on 15.05.2019 whereas the present FIR has been registered on 27.09.2019. Paper-book further reveals that there is serious family dispute as the husband of Kirna Rani has been convicted under Section 376 IPC for committing rape with his own daughter (wife of the petitioner).

Notice of motion for 06.12.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail

and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C. ”

Learned State Counsel, on instructions from H.C. Ginder Singh, has apprised the Court that in terms of order dated 04.11.2019, petitioner has joined the investigation and his custodial interrogation is not required. Also stated that there is no other criminal case pending against the petitioner.

In view of above, interim order dated 04.11.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

December 06, 2019

Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No