

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

CRM-M-17023-2020

Date of decision: 24.7.2020

Rohit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.Saleem Ahmed, Advocate for the petitioner

Mr.Manish Dadwal, AAG, Haryana
assisted by ASI Mohd.Mustakeen

Mr.Jagjot Singh, Advocate for the complainant

JITENDRA CHAUHAN, J.

The matter has been taken up through video-conferencing
in the light of the pandemic Covid-19 situation and as per instructions.

The present petition under Section 438 has been filed for grant
of anticipatory bail to the petitioner in case FIR No.310 dated 1.11.2019,
registered under Sections 363, 366A IPC at Police Station Kheripul, District
Faridabad.

Learned counsel for the petitioner contends that in pursuance of
order dated 30.6.2020, the petitioner has joined the investigation. Nothing
has been recovered from him. The prosecutrix is residing with him.

Heard.

The petitioner solemnized marriage with the daughter of the
complainant and had approached this Court by way of filing CRWP-321-

2020, which was disposed of vide judgment dated 10.1.2020 with the following direction:-

“The present petition is disposed of with a direction to respondent No.2 to look into the matter and if he finds that apprehension of danger to the lives and personal liberty of the petitioners is real, he shall take appropriate steps to ensure their protection as he feels necessary, in such circumstances of the case.

This order is not to be construed as any opinion with regard to the age of the petitioners or factum or validity of their marriage or any civil or criminal proceedings.”

The FIR was registered on the ground that the prosecutrix was minor. As per record, her date of birth has been shown as 13.9.2002 and she has attained the age of discretion as held by this Court in **Neelam Rani and another vs. State of Haryana and others 2011(1) RCR (Civil) 636**. The prosecutrix is presently residing with the petitioner.

Learned State counsel on instructions informs that the petitioner in compliance with the order dated 30.6.2020, passed by this Court, has joined the investigation and he is no more required for any custodial interrogation.

In view of the above, without expressing any opinion on merits of the case, the present petition is allowed. The order dated 30.6.2020, vide which the petitioner was admitted to interim bail by this Court, is made absolute subject to the following conditions:

- 1) that he shall make himself available for interrogation by a police officer as and when required;
- 2) that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
- 3) that he shall not leave India without the previous permission of the Court.

24.7.2020
gsv

(JITENDRA CHAUHAN)
JUDGE

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