

222.

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

CRM-M-46245-2019

Date of decision:17.01.2020

GURVINDER @ PADA

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Balraj Singh Dhull, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Jatinder Nagpal, Advocate,
for the complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.268 dated 25.09.2019 registered under Sections 363, 366-A of IPC at Police Station Cheeka, District Kaithal.

The aforesaid FIR was registered at the behest of Kulwinder Kaur. As per the FIR, her minor daughter, aged about 17 years, was kidnapped by the petitioner-Gurvinder @ Pada, at the night of 25.09.2019, with the intention of solemnizing marriage with her.

Learned counsel for the petitioner has argued that the date of birth of the prosecutrix is 18.01.2001 which is supported by the Aadhar Card issued in the name of Manpreet Kaur, the prosecutrix. The marriage certificate issued from Shiv Durga Mandir, Panchkula also refers the same

date of birth. The petitioner and Manpreet Kaur had approached this Court by way of *CWP-28115-2019* titled as *Manpreet Kaur and another Versus State of Haryana and others*, seeking protection to their life and liberty for having solemnized marriage. However, that petition was disposed of as not pressed. He has referred to the statement of the prosecutrix recorded under Section 164 Cr.P.C. wherein she has specifically stated that she has solemnized with her own consent and she has approached this Court so as to seek protection.

Heard.

The arguments of the counsel for the petitioner cannot be accepted for the reason that the petitioner has not approached this Court with clean hands. The date of birth of the prosecutrix is 18.01.2002 and this fact has been supported by various documents so placed by counsel for the complainant.

The petitioner having not approached this Court with clean hands, rather by fabricated documents, no case for interference is made out in the background of allegations against him.

Dismissed.

(HARI PAL VERMA)
JUDGE

17.01.2020
sanjeev

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