

**216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-6810-2021
Decided on : 25.03.2021

Kuldeep

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sanjeev Kodan, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.04 dated 16.01.2021 registered under Sections 420, 465, 468 and 120-B IPC, 1860 and Sections 9, 10 and 11 of Prohibition of Child Marriage Act, 2006 at Police Station Mansa Devi Complex District Panchkula.

Learned counsel for the petitioner inter alia contends that the false implication of the petitioner is evident from the fact that he was neither the owner of the Booth where the marriages were being allegedly solemnized nor were there any documents (marriage certificate etc.) bearing his signatures, which would reflect his complicity in the alleged crime. In support of his submission, learned counsel for the petitioner has invited the attention of this Court to Annexure P-2, which has been issued by the co-accused Sanjeev Sharma, which also does not bear his signatures but the signatures of only the co-accused. Learned counsel further submits that all the offences are triable by the Magistrate and there is no likelihood of the

trial concluding in the near future as only challan has been filed.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has submitted that there are serious allegations against the petitioner of conniving with the co-accused in solemnizing marriages including that of minors.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 18.01.2021, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

25.03.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No