

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(211)

CRM-M-22301-2021

Date of Decision : June 18, 2021

Bunty Kumar @ Golu @ Gagan

.. Petitioner

Versus

State of Haryana and another

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.S. Dinarpur, Advocate, for the petitioner.

Mr. Narinder Singh Behgal, Assistant Advocate General,
Haryana.

Mr. Pranjal P. Chaudhary, Advocate, for the complainant.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.764 dated 21.10.2020 registered under Sections 342, 366-A, 506 and 120-B of the IPC and Section 6 of POCSO Act, 2012 as well as Section 9 & 10 of the Prohibition of Child Marriage Act, 2006 at Police Station City Thanesar, District Kurukshetra.

Learned counsel for the petitioner submits that the petitioner has been involved in the present case wrongly. Learned counsel for the petitioner further submits that the petitioner and the daughter of the complainant got married and residing together and after their marriage, they have also been blessed with a daughter in the month of March, 2020 and are living happily but in October, 2020, the complainant, who is the mother of petitioner's wife, had filed a complaint on the basis of which, the present

FIR has been registered and the petitioner has been arrested without verifying the actual facts. Learned counsel for the petitioner further submits that now, even the complainant has given an application to the police that her complaint was on the account of misunderstanding and she does not want to pursue the same.

Notice of motion.

Mr. Narinder Singh Behgal, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State does not dispute the fact that the complainant's daughter is living with the petitioner as a wife after they got married and have also been blessed with a child in the month of March, 2020. Learned counsel for the respondent-State pleads ignorance about any letter given by the complainant stating that she does not want to pursue her complaint any further.

Learned counsel for the complainant submits that the complaint made by the complainant on the basis of which the FIR was registered, was on account of some misunderstanding and concedes that the petitioner and the daughter of the complainant are living as husband and wife after they got married and have been blessed with a child and she has no objection, in case, the petitioner is granted the bail.

Keeping in view the facts and circumstances recorded hereinbefore, which are undisputed that the daughter of the complainant and the petitioner got married and are living as husband and wife and have also been blessed with a child, the petitioner has made out a case for the grant of

regular bail.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

June 18, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No