

In virtual Court

CRM-M-26250-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26250-2020 (O&M)

Date of decision: 15.03.2021

Maninder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Simble, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. G.S. Hayer, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

This is second petition for grant of regular bail in FIR No.88 dated 09.10.2018 under Sections 363, 366-A, 120-B, 376, 342 IPC and Sections 3, 4, 6 of POCSO Act, registered at Police Station Ghuman, Police District Batala, District Gurdaspur; earlier one was dismissed as withdrawn on 07.08.2020.

On 23.09.2020, following order was passed by this Court: -

“...On 10.09.2020, it was submitted on behalf of the petitioner that there is a compromise between the parties, in which it is decided that daughter of complainant Jasbir Kaur i.e. victim, will be

married to the petitioner on attaining the age of 18 years.

Learned State counsel was directed to verify authenticity of the affidavit of complainant Jasbir Kaur.

Short reply by way of affidavit of Deputy Superintendent of Police, Sri Hargobindpur, Police District Batala, District Gurdaspur, filed in the Court today, is taken on record and as per this affidavit, statement of Jasbir Kaur was recorded, who has acknowledged that she has given the affidavit (Annexure P-5).

List again on 15.03.2021.

In the meantime, petitioner is directed to released on interim bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

On the next date of hearing, the petitioner and the victim as well as mother of the victim will file afresh affidavits regarding factum of marriage.

It is made clear that on attaining the age of 18 years of the victim, in case the petitioner do not marry daughter of the complainant i.e. the victim, this petition will be dismissed without any further orders.”

Learned State counsel has filed the custody certificate dated 14.03.2021 in the Court today.

Learned counsel for the complainant has filed affidavits of the victim and her mother-complainant along with photographs, which shows that

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the victim has performed marriage with the petitioner on 07.03.2021 in a Gurudwara. Marriage certificate dated 07.03.2021 issued by Gurudwara is also filed. All these documents are taken on record.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts, this petition is allowed and the order dated 23.09.2020, granting interim bail to the petitioner, is hereby made absolute.

**[ARVIND SINGH SANGWAN]
JUDGE**

15.03.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No