

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
202

CRM-M-7897-2023

Date of Decision: 28.08.2023

Vijay

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Karan Singh, Advocate for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

NIDHI GUPTA, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 656 dated 11.12.2022 registered under Sections 363/366 IPC at Police Station City Jind, District Jind.

On 15.02.2023, this Court had passed the following order :-

“The present petition has been preferred seeking grant of anticipatory bail in case FIR No.656 dated 11.12.2022 under Sections 363, 366 IPC at Police Station City Jind, District Jind.

To controvert the allegations leveled in the FIR, the learned counsel for the petitioner relies upon the status report filed by the police authorities in a writ of habeas corpus filed by the father of the girl, wherein the minor-Payal aged 17 ½ years categorically stated that she was married forcibly by her parents with one Harish, whom she

never wanted to marry and she further stated that nothing wrong has been done with her by the petitioner. Rather, she has expressed her desire of marrying with the petitioner after attaining the age of majority.

Learned counsel for the petitioner submits that the petitioner is also ready and willing to settle with the girl, after she attains the age of majority. It is very interesting situation that the father lodged the complaint/FIR under Section 363 and 366 of IPC and subsequently, once it had come on record that the marriage of minor girl had been solemnized forcibly by the parents, no action was taken against the parents of the girl by the police authorities.

Notice of motion.

Mr. Brijesh Sharma, AAG, Haryana, accepts notice on behalf of the State.

In the light of the specific assertions made by the girl herself and the fact that it was not the petitioner, who enticed her away and she herself came to Chandigarh, entitles the petitioner for the concession for grant of anticipatory bail.

In the meanwhile, the petitioner shall join investigation on 22.02.2023 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 27.04.2023.”

Learned counsel for the petitioner submits that in compliance of the order dated 15.02.2023 passed by this Court, the

petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Randhir Singh states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation, and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

In view of the above, the order dated 15.02.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

28.08.2023

rishu

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No