

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

CRM-M-13630-2015

Date of decision: 21.5.2015

Sukhbir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.Amit Arora, Advocate for the petitioner

Mr.Ashish Sanghi, DAG, Punjab

SNEH PRASHAR, J.

The present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of anticipatory bail to the petitioner in case First Information Report No.94 dated 27.7.2014 registered under Sections 363, 366(A), 148, 149 of the Indian Penal Code at Police Station Verowal, District Tarn Taran.

Submissions made by Mr. Amit Arora, Advocate representing the petitioner and Mr.Ashish Sanghi, Deputy Advocate General, Punjab appearing for the respondent-State have been heard.

Learned counsel for the petitioner submits that it is a case of run away marriage. Due to the fact that the prosecutrix had got married against the wishes of her parents (complainant), the petitioner has been falsely implicated in the present case. Submitting that the petitioner and the prosecutrix are living happily at the matrimonial home, learned

counsel for the petitioner prayed for grant of anticipatory bail to the petitioner.

On instructions from ASI Kewal Singh, learned State counsel conceded that the prosecutrix is still residing with her husband (petitioner) in her matrimonial home.

In her Statement recorded under Section 164 Cr.P.C, the prosecutrix has stated her age as 19 years. She further stated that she had left the house alone during midnight on 25.7.2014 and had then married petitioner out of her own free will.

In view of the above, without going into the merits of the case, the present petition is allowed. The petitioner will join investigation. In case of his arrest, he shall be enlarged on anticipatory bail by the Arresting Officer/ Investigating Officer subject to the following conditions:-

- 1) that he shall make himself available for interrogation by a police officer as and when required;
- 2) that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
- 3) that he shall not leave India without the previous permission of the Court.

21.5.2015
gsv

(SNEH PRASHAR)
JUDGE