

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-22214 of 2015
Date of Decision : 17.08.2015

Malak Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Ms. Supriya Arora, AAG, Haryana.

R.P. Nagrath, J. (Oral)

Prayer in the instant petition is for grant of anticipatory bail under Section 438 Cr.P.C. in FIR No. 95 dated 06.03.2015 for offences under Sections 365, 376 and 506 of Indian Penal Code (IPC), registered at Police Station Assandh, District Karnal.

The FIR was registered on 06.03.2015 by husband of the prosecutrix that she went missing from the house in the intervening night of 03/04.03.2015. The prosecutrix was recovered on 09.04.2015 and according to her she saved herself from clutches of the petitioner while travelling in a bus from Chandigarh to New Delhi. Her statement under Section 164 Cr.P.C. was recorded detailing the circumstances under which she was threatened and intoxicated and sexually exploited.

Learned counsel for the petitioner submits that the prosecutrix herself moved CRM-M-10577 of 2015 against her husband and others apprehending threat to her life and liberty which was disposed of by this Court on 01.04.2015 with a

direction to respondent no. 3. i.e. Superintendent of Police, Karnal to look into the representation and if necessary grant protection to the prosecutrix by providing security etc. It was more than one month after the prosecutrix left her house that she was recovered.

The prosecutrix was medically examined on 09.04.2015 and there was no mark of physical assault on her.

Learned State counsel on instructions from SI Shamsher Singh submits that in deference to order dated 13.07.2015, the petitioner has joined investigation on 31.07.2015.

In view of the above and without commenting on merits of the case, the interim order dated 13.07.2015 is made absolute. The petitioner shall also abide by the restrictions contained in Section 438 (2) Cr.P.C.

Allowed in the above terms.

August 17, 2015
jk

(R.P. NAGRATH)
JUDGE