

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-36089 of 2015

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Date of decision:26.11.2015

Batma

...Petitioner

v.

State of Punjab

...Respondent

....

**Coram: Hon'ble Mr. Justice Inderjit Singh**

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Present: Mr. Prashant Vashisth, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab  
for the respondent-State.

Mr. Shivoy Dhir, Advocate for the prosecutrix.

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**Inderjit Singh, J.**

The petitioner has filed this petition under Section 438 Cr.P.C.  
for grant of anticipatory bail in case FIR No.82 dated 28.3.2015 registered  
for the offences under Sections 363, 366, 376, 346 and 120- IPC at Police  
Station Salem Tabri, District Ludhiana.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has  
put in appearance on behalf of the respondent-State and Mr. Shivoy Dhir,  
learned Advocate has appeared on behalf of the prosecutrix and contested  
this petition. Police record is also available.

I have heard learned counsel for the petitioner, learned

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Assistant Advocate General, Punjab appearing for the respondent-State and learned Advocate appearing for the prosecutrix and have gone through the record.

From the record, I find that in the present case FIR has been registered by the complainant, who is sister of the prosecutrix. As per the prosecution version, the sister of the complainant was forcibly taken away at 2.00 p.m. on 22.3.2015 by three persons out of which the name of one person is Varivel with whom talks regarding proposal of marriage of prosecutrix was going on two months ago but the complainant party was not agreeing. As per the prosecution version, the present petitioner had taken active role in the commission of the present offences. There is allegation that on one occasion when the prosecutrix tried to run away, she was brought back and given severe beating.

Keeping in view the nature and gravity of the offences and the petitioner being named by the prosecutrix in her statement and active role including beating etc. is attributed to the present petitioner, I do not find it a fit case where the present petitioner is entitled to the benefit of anticipatory bail.

Therefore, finding no merit in this petition, the same is dismissed.

November 26, 2015.

**(Inderjit Singh)**  
**Judge**

\*hsp\*