

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

CRM-M-39967-2017 (O&M)

Date of decision : 05.12.2017

Sunny Atri

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. Anshuman Dalal, Advocate for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana,  
assisted by ASI Baje Singh.

Mr. Vivek Khatri, Advocate for the complainant.

**JITENDRA CHAUHAN, J. (Oral)**

The petitioner seeks pre-arrest bail in FIR No.135 dated 18.08.2017, registered under Sections 328 and 376 of the Indian Penal Code, at Women Police Station, District Rohtak.

Heard.

On 02.11.2017, the following order was passed:-

*“Learned counsel contends that the petitioner being in love affair with the prosecutrix is still ready and willing to marry the prosecutrix.*

*Notice of motion for 05.12.2017.*

*The petitioner is directed to join the investigation.*

*Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail 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 prior permission of the Court.”*

It is contended that as on today, the petitioner has not attained the age of majority for the purpose of Hindu Marriage Act. The petitioner being in relationship with the prosecutrix, wants to solemnize marriage with her.

The prosecutrix, present in the Court, accepts the proposal put forth by the petitioner.

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 02.11.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

**05.12.2017**  
**atulsethi**

**(JITENDRA CHAUHAN)**  
**JUDGE**

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No