

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-8813-2018 (O&M)
Date of Decision:-20.8.2019

Sahil Sabharwal ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rahul Bhargava, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab,
assisted by ASI Sanjiv Kumar.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.003 dated 17.1.2018 at Police Station Nurmahal, District Jalandhar Rural under Sections 363 and 366-A of Indian Penal Code.

The FIR was registered at the instance of Satpal, wherein he alleged that his daughter Prerna had been abducted by the petitioner.

The learned counsel for the petitioner has submitted that infact the petitioner has performed marriage with the aforesaid Prerna against the wishes of her parents and since the petitioner and his wife Prerna apprehend threat to their lives, they were constrained to file a petition seeking protection i.e. CRM-M-3035 of 2018, wherein interim directions had been issued to

Senior Superintendent of Police-Rural, District Jalandhar Rural to protect their lives.

The aforesaid Prerna is present in the Court and has been identified by ASI Sanjiv Kumar, who is present in Court.

Upon a query made by this Court Ms. Prerna stated that she is aged 18 years and that she has willingly performed marriage with the petitioner Sahil Sabharwal and wishes to reside with him.

In view of the aforestated position, wherein Prerna has categorically stated that she has contracted marriage with the petitioner and that she is aged 18 years, the present case would not warrant any custodial interrogation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 1.3.2018 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The present petition stands accepted accordingly.

20.8.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No