

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

107

CRM-M No.17373 of 2020 (O&M)
DATE OF DECISION : 3rd JULY, 2020

Suraj

.... Petitioner

Versus

State of Haryana & another

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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

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RAJBIR SEHRAWAT, J. (Oral)

CRM-14886-2020

The application is allowed as prayed for.

CRM-M No.17373 of 2020

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory/pre-arrest bail in case FIR No.146 dated 04.06.2020 registered under Section 365 IPC, at Police Station Israna, District Panipat.

It is contended by counsel for the petitioner that the case against the petitioner is totally fabricated for the reason that the daughter of the complainant has performed marriage with the petitioner against the wishes of the complainant. The daughter of the complainant is still living happily with the petitioner as his wife. Not only this, the petitioner and his wife; both had filed a joint petition earlier before the Sessions Court for seeking protection against their harassment. The said petition was

allowed by the learned Additional Sessions Judge, Karnal vide order dated 04.06.2020 (Annexure P-7). Hence the petitioner deserves the concession of anticipatory bail.

Notice of motion.

Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of the State.

Learned State counsel submits that the girl, whom the petitioner has enticed away, is minor by age. The girl has still not been recovered. Hence, the petitioner does not deserve any concession.

Since the petitioner has taken specific plea that the daughter of the complainant has married him and she is still living with him as his wife, therefore, this court finds this to be a fit case for granting protection against the arrest of the petitioner. However, the petitioner would join the investigation and would also produce the girl before the investigating officer.

In view of the above, but without commenting anything on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. The petitioner shall also produce the girl before the investigating officer of the case.

3rd JULY, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>