

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

115

CRM-M-23153-2020
Date of decision : 18.08.2020

Arunpreet Singh @ Sonu

... Petitioner

Vs.

State of Haryana and another

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Vivek Gupta, Advocate
for the petitioner.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Counsel for the petitioner has argued that FIR No.250 dated 14.07.2020 was lodged under Sections 363/366 of the IPC by Mohit, brother of Pooja. On 14.07.2020 itself, counsel submits that the petitioner got married to Pooja as is evident from marriage certificate (Annexure P-2) issued by Gurudwara where the ceremony took place. Subsequently, the petitioner along with Pooja filed a petition bearing Criminal Writ Petition No.4947 of 2020 before this Court seeking protection of their lives and liberty at the hands of the complainant and other relatives. Notice of the petition was issued by this Court on 17.07.2020 (Annexure P-3) and the petition is now pending for 25.08.2020. Counsel has further relied upon affidavits Annexures P-4 and P-5 executed by Pooja and her brother Mohit, complainant, on 11.08.2020 wherein they have deposed that the marriage was solemnised with the free consent of the girl and she was not under any pressure. It

has further been deposed that the FIR lodged is false. Mohit in his affidavit has stated that he does not want to pursue the matter and has sought the cancellation of the FIR.

Notice of motion.

On the asking of the Court, Mr. Dhruv Sheoran, Deputy Advocate General, Haryana, who is available through video conferencing, accepts notice on behalf of the respondent. Advance copy of the paper book has already been supplied to him.

Learned State counsel upon instructions from ASI Dinesh has submitted that after investigation, the police has filed the cancellation report.

Keeping in view the above background, the present petition is allowed. The petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

It is clarified that any observation made herein above shall not be construed as an expression of opinion on the merits of the case. If the petitioner do not join the investigation then it will be open to the State to file an application to recall the order.

18.08.2020

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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No