

In virtual Court

CRM-M-65-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-65-2021 (O&M)
Date of decision: 08.01.2021

Charanjit Singh @ Happy

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.37 dated 06.07.2019 under Sections 363, 366 IPC (Sections 376, 506 IPC and Section 6 of POCSO Act were added later on), registered at Police Station Sadar Pathankot.

Learned counsel for the petitioner submits that the petitioner and the victim i.e. respondent No.3 are living together as husband and wife and after registration of the FIR, matter has been amicably settled between the parties and a compromise dated 02.12.2020 has been entered into between the parties, copy of which is annexed with this petition as Annexure P-2. It is further submitted that as per the compromise, the petitioner has accepted the victim as his wife and they are living together. It is also submitted that as per allegations in the FIR, the petitioner has allegedly enticed away the victim on the pretext of

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marrying her. The FIR pertains to July, 2019 and at that time, the victim was below 18 years of age and now in view of the compromise, she has performed the marriage and is residing with the petitioner.

Notice of motion.

On asking of the Court, Mr. Jagmohan Ghumman, DAG, Punjab accepts notice on behalf of respondent No.1-State while Mr. Amit Rana, Advocate has appeared on behalf of respondents No.2 & 3 and he has acknowledged that there is a compromise between the parties.

Sulakhan Singh-respondent No.2/complainant, who is father of respondent No.3, states that the petitioner and respondent No.3 are residing together as husband and wife.

In view of the above, this petition is allowed and the petitioner is granted anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

However, it will be open for the Investigating Officer to call the petitioner in police station to join the investigation, after issuing an advance notice in writing for this purpose.

[ARVIND SINGH SANGWAN]
JUDGE

08.01.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No