

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

**CRM-M-534 of 2021
Date of Decision: 11.02.2021**

Naresh Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Munish Puri, Advocate for the petitioner.
Ms. Samina Dhir, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter is taken up through video conference due to COVID-19 situation.

This is a petition for anticipatory bail in FIR No. 203 dated 7.12.2020, under Section 376 IPC, registered at Police Station Sadar Pathankot, District Pathankot.

The FIR was registered at the behest of the prosecutrix (name withheld). The allegations are that the petitioner, who is serving in ITBP, met her about four years back. The father of the prosecutrix died. She had no brother and when she met with the petitioner, he promised to marry her. Whenever he would find an opportunity, he would come to the house and forcibly make relationship with her. He constantly assured to perform

marriage with her. The matter was taken in the Panchayat on 30.11.2019 where the petitioner refused to perform marriage. SIT was formed headed by the Superintendent of Police recommended for consigning to the record, without involving any family member or neighbour. Thereafter the petitioner was forced to knock the doors of this Court and after that the present FIR was registered.

Learned counsel for the petitioner argues that this FIR is only a pressure tactics to get married with the petitioner and the first enquiry was in his favour.

Learned counsel for the State, appearing on advance notice, on instructions from SI-Amandeep Kaur, submits that the matter was re-looked into, as in the earlier enquiry no family member or neighbour was involved. She further submits that before registering the FIR, notices were issued to the petitioner. No reply was filed, rather his brother appeared and submitted that as and when the petitioner will come on leave he will appear. She submits that the matter is still under investigation.

The allegations against the petitioner are serious. As per the prosecutrix, the petitioner forcibly made relationship with her assuring to get married. During the course of arguments, learned counsel for the petitioner submits that the petitioner has now married with someone else. The conduct of the petitioner is evident from the fact that in spite of issuance of notices, he failed to appear in the enquiry. The matter is still under investigation.

In such circumstances, no case is made out for grant of anticipatory bail.

The petition is dismissed.

**[AVNEESH JHINGAN]
JUDGE**

11th February, 2021
mk

1. Whether speaking/ reasoned
- :
- Yes / No
1. Whether reportable
- :
- Yes / No