

CRM-M- 10870-2021 (O&M)

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

CRM-M- 10870-2021 (O&M)

Date of Decision: 14.09.2021

(Heard through VC)

Manjit Singh

..... Petitioner

VERSUS

State of Haryana

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. Gurminder Singh Salana, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Lokesh Vohra, Advocate for the complainant.

JAISHREE THAKUR, J.(Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No. 10 dated 08.02.2021 under Sections 323, 376, 506, 34, IPC registered at Police Station Women Ambala, District Ambala.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case while arguing that in fact the parties were in a live-in relationship since 2014. There is an inordinate delay in the registration of the FIR. It is also submitted that pursuant to order dated 09.03.2021, the petitioner has joined investigation. It is also contended that nothing is to be recovered from the petitioner.

At this stage, counsel appearing on behalf of the complainant would submit that in fact the allegations as set out in the FIR are serious. It

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is submitted that the complainant is a widow and came into contact with the petitioner, who promised to marry her and to look after her son from the earlier marriage. However, the petitioner's mother imposed a condition that marriage would be solemnized after the marriage of petitioner's niece as the complainant did not belong to their caste and in case the petitioner's marriage is performed prior in time, no one would marry the niece. It is contended that despite the niece having got married, the petitioner failed to marry her and left her.

Learned State counsel, on instructions from SI Davinder Kaur, submits that in terms of order dated 09.03.2021, the petitioner has already joined the investigation and he is not required for the custodial interrogation.

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 09.03.2021 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure. However, the allegations qua the petitioner whether he developed a relationship with the complainant by giving false assurance of marriage would be a matter of trial.

14.09.2021

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**(JAISHREE THAKUR)
JUDGE**