105

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-35214-2021
Date of Decision: 27.08.2021

Gourav Singh .....Petitioner

Versus

State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...

(through video conferencing)

Present: Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

...

MANJARI NEHRU KAUL, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No. 142 dated 21.07.2021 under Sections 363, 366-A IPC registered at Police Station Shahzadpur, District Ambala.

Learned counsel submits that a false FIR has been registered against the petitioner on allegations of luring the daughter of the complainant on the pretext of marriage. He has invited the attention of this court to Annexure P2 vide which the daughter of the complainant along with the petitioner had approached this court seeking protection of their life and liberty. He submits that in the circumstances it was evident that a false case had been registered as the complainant was averse to their relationship. Learned counsel submits that even the victim on her recovery from the custody of the petitioner made a statement that she had accompanied the petitioner of her own accord.

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A perusal of the FIR in question, which was registered on 21.07.2021, reveals that not only was the petitioner specifically named in the FIR in question but was also attributed a role of luring the victim on the pretext of marriage. Though a great deal of stress has been laid by the learned counsel on Annexure P2, which is an order of this court dated 29.07.2021 passed in CRWP-7046-2021, however, it clearly reveals that the petitioner along with the victim had approached this court seeking protection of their life and liberty on 29.07.2021 i.e. after 08 days of the lodging of the FIR in question. Moreover, this court cannot lose sight of the fact that the victim was a minor and even if assuming for the sake of arguments that she accompanied the petitioner of her own accord, being a minor her consent would be of no consequence.

The petition is dismissed.

(MANJARI NEHRU KAUL)
JUDGE

27.08.2021
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Note: Whether speaking/reasoned Yes / No
Whether Reportable: Yes / No

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