

107.

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

CRM-M-35778-2021

Date of Decision: 01.09.2021

(Heard through VC)

ABHISHEK

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Yogeshwar Dayal Kaushik, Advocate, for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.110, dated 02.07.2021, registered under Sections 376(2)(n), 506 & 34 of IPC at Women Police Station, Sonipat, District Sonipat.

Counsel for the petitioner herein would contend false implication while contending that the complainant was old enough to realize the implications of getting into a relationship. He admits the factum of pregnancy, however, would submit that complainant herself got abortion done while contending that the other co-accused have already been allowed anticipatory bail by this Court.

Notice of motion.

Ms. Mahima Yashpal, DAG, Haryana, accepts notice on behalf of respondent-State. She opposes the anticipatory bail by contending that the petitioner herein is the main accused. In fact the family members of the petitioner herein had gone with the marriage proposal to the house of the

complainant and ultimately, they did not agree to the said wedding. The petitioner herein then assured the complainant that he will definitely marry her and on the pretext of marriage, he used to talk to the complainant. He then called her to a hotel to discuss about the arrangements of the marriage and there he developed physical relation with her. Learned State counsel would also submit that there is ample evidence available on the record to show that the petitioner accompanied the complainant and got her abortion done. It is also submitted that on an earlier occasion, the complainant had registered a complaint at Gohana Chowki which matter had been compromised. Earlier the petitioner had agreed to solemnize marriage but did not choose to do so which led to registration of the present FIR. It is contended that the custodial interrogation of the petitioner would be required.

I have heard learned counsel for the parties and in view of the specific allegations made herein that initially the family members of the complainant had refused to solemnize marriage between the complainant and the petitioner, however, the petitioner induced the complainant that he would marry her and thereafter on the pretext of marriage committed an offence under Sections 376(2)(n), 506, 34 of IPC.

In view of above, this Court does not find any ground to interfere in the matter. Accordingly, the present petition is dismissed.

(JAISHREE THAKUR)
JUDGE

01.09.2021
sanjeev

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