

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

CRM-M-30731-2020

Date of decision:22.01.2021

Nanha

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Mayur Karkra, Advocate for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No.342 dated 29.08.2020 registered under Sections 120-B, 376(2)(n), 376-D, 450 and 506 IPC, at Police Station Kaithal City, District Kaithal.

On 01.10.2020, this Court passed the following order:-

“Case is taken up for hearing through video conferencing.

CRM-24566-2020

Application is allowed as prayed for.

Main case:

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 342 dated 29.08.2020 registered under Sections 120-B, 376(2)(n), 376-D, 450 and 506 IPC, at Police Station Kaithal City, District Kaithal.

Learned counsel for the petitioner contends that as per her information, the petitioner has since performed marriage with the prosecutrix and prays that the said fact may be got verified from the learned State counsel.

Notice of motion.

On the asking of this Court, Mr. Ramesh Kumar Ambavta, AAG Haryana, accepts notice on behalf of the

respondent-State and on the instructions from ASI Babita, submits that the petitioner and prosecutrix have already performed marriage.

Adjourned to 14.01.2021.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438(2) of the Code of Criminal Procedure.”

Learned counsel for the petitioner submits that pursuant to the order dated 01.10.2020 passed by this Court, the petitioner has joined the investigation. It is further submitted that the present FIR was lodged on the complaint of Meenu raising serious allegations against the petitioner along with two other co-accused. The petitioner has performed marriage with prosecutrix-Meenu.

Learned State counsel does not dispute the said facts. He, on instructions from ASI Babita, submits that the petitioner has joined the investigation and is not required for any further investigation. It is further submitted that the Investigating Agency is in process of filing the cancellation of the present FIR.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 01.10.2020 passed by this Court 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.

22.01.2021
ishwar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No