

CRM-M-12404-2021

Date of decision: 28.03.2022

AMANDEEP SINGH

..PETITIONER

VERSUS

STATE OF HARYANA

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Barrister Rubal Garg, Advocate for  
Mr. K.S. Sidhu, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

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VIVEK PURI,J. (ORAL)

Status report by way of affidavit of Kuldeep Singh Beniwal, H.P.S.,  
Deputy Superintendent of Police, Dabwali, District Sirsa on behalf of the  
respondent-State has been filed and the same is taken on record.

Present petition is under Section 438 Cr.P.C. for seeking anticipatory  
bail to the petitioner in case FIR No. 16 dated 12.01.2021, registered under  
Sections 363/366-A IPC, 1860 at Police Station City Mandi Dabwali, District  
Sirsa.

On 18.03.2021, the following order was passed:-

*"The matter has been taken up through video conferencing.*

*Learned counsel for the petitioner inter-alia contends that the petitioner and the complainant's daughter are having a love affair and intend to get married; since the aforesaid affair was against the wishes of the complainant, the present FIR has been filed against the petitioner to pressurize him; the petitioner and the complainant's daughter had filed a petition before this Court seeking protection of their life and liberty being CRWP-735-2021 – Amandeep Singh and another vs. State of Punjab and others in which this Court has directed the State to grant protection to the petitioner and the complainant's daughter; there is no other criminal*

*case in which the petitioner is involved and that the petitioner is ready and willing to join the investigation as and when called by the Investigating Agency.*

*Notice of motion.*

*Mr. Sandeep Kumar, DAG, Punjab, accepts notice on behalf of the respondent-State and prays for time to argue the matter.*

*Adjourned to 14.07.2021.*

*In the meanwhile, subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.16, dated 12.01.2021, registered under Sections 363,366-A IPC at Police Station City Mandi Dabwali, District Sirsa, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”*

Learned counsel for the petitioner contends that in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation.

As per status report, the victim has not imputed any allegation against the petitioner. The statement of the victim under Section 164 Cr.P.C has also been recorded.

On instructions from SI Surender Singh, learned State counsel has not assailed the aforesaid factual aspects and further stated that the custodial interrogation of the petitioner is not required.

In the instant case, the victim has not imputed any allegation against the petitioner in her statement recorded under Section 164 Cr.P.C. It is emerging in the statement that her date of birth is 03.08.2003 and she had gone to Amritsar without telling anyone where she stayed in Gurudwara for some days. After attaining the age of majority, she has solemnized marriage with the petitioner on 12.08.2021. As such, sufficient exceptional circumstances are made out to extend the concession of anticipatory bail to the petitioner.

In view of the aforesaid submissions, the order dated 18.03.2021, granting interim bail to the petitioner is made absolute.

Furthermore, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition stands allowed.

28.03.2022  
*renubala*

(VIVEK PURI)  
JUDGE

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |