

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

224

**CRM-M-12058 of 2022
Date of decision :21.09.2022**

Nirmal Singh @ Nimma

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MR JUSTICE SUVIR SEHGAL

Present:- Mr. Bikramjit Arora, Advocate, for the petitioner

Mr. Mohit Chaudhary, AAG, Punjab.

Ms. Vinita Sapra Kataria, Advocate, for the complainant.

SUVIR SEHGAL, J. (Oral)

While granting interim protection to the petitioner, on 07.04.2022
this Court passed the following order in the main case:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No. 100 dated 28.05.2021, registered for offences under Sections 363 and 366 of the Indian Penal Code, 1860, at Police Station Majitha, Police District, Amritsar Rural.

Counsel for the petitioner contends that although the FIR has been registered by Bhupinder Singh, father of the victim, on the allegation that his minor daughter has been enticed by the petitioner on the pretext of marriage and a petition seeking protection filed by them jointly before this Court was withdrawn vide order dated 10.08.2021, Annexure P-8, but after the victim attained the age of majority, she has married the petitioner on 28.02.2022. Counsel has placed reliance on the Marriage Certificate, Annexure P-3, as well as the statements recorded by both of them before the learned Sessions Judge, Tarn Taran as also affidavit dated 17.03.2022, Annexure P-7, and the statement of the victim recorded under Section 164, Cr.P.C on 31.03.2022, Annexure P-10, to submit that the victim has categorically stated that she is married and is staying happily with the petitioner at her matrimonial home.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior, DAG, Punjab accepts notice on behalf of respondent-State. He is assisted by Ms. Vanita Sapra Kataria, Advocate, counsel for the complainant.

List on 22.08.2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

In case, the petitioner fails to join the investigation, the interim protection granted to him shall be liable to be vacated.”

Upon instructions received from ASI Harjinder Singh, learned State counsel submits that petitioner has joined the investigation and he is no longer required for custodial interrogation.

In view of the above, without commenting upon the allegations levelled in the petition, present petition is allowed and order dated 07.04.2022 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.

21.09.2022
anil

(SUVIR SEHGAL)
JUDGE

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>