

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

CRM-M-25655-2022

Date of decision : 08.06.2022

Sona Singh @ Sonu Singh

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. R.S. Sekhon, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

This is the second petition filed by the petitioner praying for grant of anticipatory bail in case FIR No.0001 dated 04.01.2022, under Sections 363, 366-A of IPC, registered at Police Station Sadar Jalalabad, District Fazilka.

On earlier occasion, the petitioner approached this Court by way of filing petition bearing CRM-M No.20578-2022 which was dismissed as withdrawn on 13.05.2022 with liberty to the petitioner to avail the alternate remedies available to him in accordance with law.

Learned counsel for the petitioner submits that the petitioner thereafter, approached the learned Additional Sessions Judge for grant of anticipatory bail, however, after hearing counsel for the parties, learned Additional Sessions Judge declined the same vide order dated 24th May, 2022. Learned counsel for the petitioner submits that the petitioner and the victim are duly married. He has submitted that they also approached this Court by way of filing CRWP No.4021-2022 praying for grant of protection, however, the same was dismissed as withdrawn vide order dated 2nd May, 2022. He submits that the victim is major as on date and

the petitioner deserves to be granted anticipatory bail.

Notice of motion.

On asking of the Court, Ms. Sakshi Bakshi, AAG, Punjab accepts notice on behalf of the respondent-State.

At the outset, learned State counsel has submitted that the victim was less than 18 years of age on the date of occurrence and she is yet to be recovered. She submits that the petitioner is wanted in this case and for a thorough and fair investigation, his custodial interrogation is required.

After hearing counsel for the parties and keeping in view the overall facts and circumstances of the case, this Court finds that the victim was minor at the time of occurrence and she is yet not recovered. Keeping in view the statutory provisions of Section 438(1) Cr.P.C. enumerating the parameters like the gravity of the offence, probability of the accused fleeing from the justice, chances of his tampering with the ongoing investigation, this Court finds that the petitioner do not qualify for granting him anticipatory bail.

The petition being devoid of any merits is hereby dismissed.

(RAJESH BHARDWAJ)
JUDGE

08.06.2022
m. sharma

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