

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

207

**CRM-M-42028-2021
Decided on : 17.02.2022**

Navjot Singh @ Love

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Umesh Sharma, Advocate
for the petitioner(s).

Mr. Bhupender Beniwal, AAG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No. 173, dated 18.08.2021, lodged under Section 376 of IPC, registered at Police Station A Division, Amritsar, District Amritsar (annexed as Annexure P-1).

Learned counsel for the petitioner, in support his submissions, has placed reliance on the judgement of Apex Court in **Sonu @ Subhash Kumar vs State of Uttar Pradesh and another (SLP (Crl.) No.11218/2019)** decided on **01.03.2021** and submits that the petitioner and the prosecutrix had been in a consensual relationship. The prosecutrix, who was residing in the same locality as the petitioner, was well aware about his marital status as well as he being a father of a two year old child. Thus, the version put-forth in the FIR that on the pretext of marriage, she had been lured to establish physical relations with the petitioner could not be digested.

Learned counsel submits that pursuant to order dated 26th October, 2021, passed by this Court, the petitioner has joined investigation

and cooperated with the investigating agency.

Learned State counsel does not dispute the factum of the petitioner having joined investigation. He, on further instructions submits that since the petitioner has joined investigation, his further investigation, much less, custodial interrogation is not required.

Heard.

In the facts and circumstances, as enumerated hereinabove, the petition is allowed and interim order dated 26th October, 2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

February 17, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*