

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

CRM-M-42738-2021

Date of Decision: 31.01.2022

Juj SinghPetitioner

Versus

State of Punjab..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...
(through video conferencing)

Present: Mr. K.B.S.Mann, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

...

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.141 dated 04.09.2021 under Sections 363, 366 and 120-B of the IPC registered at Police Station Bhikhi District Mansa.

Learned counsel submits that false allegations have been levelled in the FIR in question that co-accused Jaswinder Singh enticed away the prosecutrix and solemnized marriage with her at the behest of the petitioner. Further submits that in fact said Jaswinder Singh and the prosecutrix did solemnize marriage and approached this Court by way of CRWP-8507-2021 (Annexure P-2), wherein, this Court had disposed off the said writ petition with directions to the authorities concerned to look into the threat perception, which they were facing at the hands of the family members of the prosecutrix. Learned counsel submits that he has been

implicated in the case in hand only because he happens to be the friend of said Jaswinder Singh. He further submits that the prosecutrix was just two days short of attaining the age of majority at the time of marriage. Learned counsel submits that in compliance of order dated 11.10.2021 the petitioner had joined investigation and cooperated with the investigating agency. Therefore, the present petition be allowed.

Learned counsel for the State, on instructions from SI Balbir Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigation agency. He further submits that the prosecutrix, who has since been recovered, had made a statement to the effect that she had accompanied the co-accused of her own accord and the petitioner had no role to play in the crime in question.

I have heard the learned counsel.

In the wake of the statement made by the learned State counsel, the instant petition is allowed and order dated 11.10.2021 is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

31.01.2022
rupi

(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No