

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

**CRM-M-41481-2020 (O&M)**

**Date of decision: 01.12.2022**

**Shamshad Rai**

**...Petitioner**

**Versus**

**State of Punjab and another**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- None for the petitioner/complainant.

Mr. Navneet Singh, DAG, Punjab.

None for respondent No.2/accused.

**ARVIND SINGH SANGWAN, J. (Oral)**

Prayer in this petition, filed under Section 439(2) Cr.P.C., is for cancellation of the anticipatory bail granted by this Court to respondent No. 2/accused in FIR No. 32 dated 28.02.2020, registered under Section 376(2)(n) IPC at Police Station Amargarh, District Sangrur, vide order dated 25.09.2020 passed in **CRM-M-29700-2020**.

The ground taken in this petition for cancellation of anticipatory bail granted to respondent No. 2/accused is that there is concealment of facts in the aforesaid order dated 25.09.2020 that respondent No. 2/accused has performed marriage with complainant/victim (petitioner herein), however, the signatures of the complainant were taken on some papers, which were later on used for the said purpose and in this regard, a complaint has already been given to the police.

Learned State counsel, on instructions from ASI Shishpal Singh, submits that out of total 12 prosecution witnesses, 06 witnesses have

already been examined including complainant/victim.

On a Court query, whether there is any complaint against respondent No.2/accused that he has ever extended any threat or has misused the concession of bail in any manner, learned State counsel submits that no such complaint has been received either from the petitioner or any other witness.

After hearing learned State counsel and going through the contents of the petition and also in view of the fact that the statement of the petitioner/complainant has already been recorded before the trial Court apart from 05 other prosecution witnesses and there is no complaint against respondent No. 2/accused that he has ever extended any threat to complainant or has misused the concession of bail, this Court finds no ground to cancel the bail granted to respondent No.2/accused.

Accordingly, the present petition is dismissed.

01.12.2022

*Waseem Ansari*

(ARVIND SINGH SANGWAN)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*