

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46277-2022
Date of Decision: 14.12.2022

RAVI SINGH @ GURMEJ SINGH ... PETITIONER

V/S

STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Sukhpreet Kaur, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

* * * *

VIVEK PURI, J. (ORAL)

On 10.10.2022 following order was passed:

“The petitioner is seeking anticipatory bail in case bearing FIR No.0157 dated 25.09.2021 under Sections 376/506/120-B IPC and Section 6 of the POCSO Act, registered at Police Station Sadar, District Ferozepur.

Learned counsel for the petitioner contends that precisely, the allegations against the petitioner are to the effect that he alongwith his parents had kidnapped the victim, who was stated to be aged about 15 years, on the false pretext of solemnizing marriage. Although, the allegations of rape have been attributed against the petitioner, but it has been pointed out that the date of birth of the victim is 08.01.2004 as depicted in the birth certificate (Annexure P-3). After attaining the age of majority, the victim has solemnized marriage with the petitioner on 30.06.2022 (Annexure P-4) and Annexure P-5 are the photographs depicting the marriage. The victim is presently happily residing with the petitioner in her matrimonial home. At the earlier instance, the petitioner had submitted a complaint against the mother, maternal uncle and other relatives of the victim on the allegations that they were forcibly trying to solemnize the marriage of the victim with an aged person. The father of the petitioner has been granted regular bail and the mother of the petitioner has been granted pre-arrest bail by this Court.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab, accepts notice

on behalf of the respondent-State.

Adjourned to 14.12.2022.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel, on instructions from ASI Ramesh Kumar, has not disputed the aforesaid factual aspect and has stated that custodial interrogation of the petitioner is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 10.10.2022 is made absolute.

14.12.2022

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No