

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

137+259

**CRM-9447-2022 in/and
CRM-M-54215-2021
Decided on: 16th March, 2022**

Gurcharan Singh

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Nishad Ahuja, Advocate for
Mr. H.S. Oberoi, Advocate for the petitioner.

Ms. Geeta Sharma, Deputy Advocate General, Haryana.
Mr. Madan Sandhu, Advocate for the complainant.

AVNEESH JHINGAN, J (Oral):

This petition has been filed for grant of anticipatory bail in FIR No. 116 dated 13.11.2021 under Section 376 (2) (n) IPC registered at Police Station Rori, District Sirsa, Haryana.

This Court vide order dated 23.12.2021 granted the interim bail to the petitioner subject to joining investigation. The relevant portion of the order is quoted hereinbelow :-

“Briefly, the FIR has been registered at the instance of the prosecutrix alleging that she developed friendship with the petitioner through Facebook and the petitioner forcibly made physical relations on the pretext of solemnizing marriage. Even the engagement ceremony took place on 08.09.2021 with the consent of family members of both the parties. Subsequently, the petitioner refused to solemnize the marriage.

Learned counsel for the petitioner contends that in fact the petitioner had solemnized the marriage with the prosecutrix on 08.09.2021 and

in this regard, both the parties had sworn an affidavit on 08.09.2021. Furthermore, there had been financial transactions indicating the transfer of the amount from the account of the petitioner to the account of the prosecutrix.

Notice of motion.

Mr. Zorawar Singh Chauhan, DAG Haryana accepts notice on behalf of the State.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State Counsel, on instructions from ASI Vedpal Kaur submits that the petitioner has joined the investigation and is co-operating and is no more required for custodial interrogation.

Mr. Madan Sandhu, Advocate has put appearance on behalf of the complainant (though not impleaded as a party) and opposes the confirmation of the bail. He has filed an application CRM-9447-2022 for placing on record Annexures R-1 to R-11 i.e. photographs and WhatsApp Chats.

In view of the statement of learned State Counsel that no custodial interrogation is needed, the interim bail granted on 23.12.2021 is made absolute.

Petition stands disposed of.

Since the main case has been decided, the pending application, if any, stands rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

16th March, 2022
anuradha

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No