

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49892-2019
Date of Decision: 24.08.2022

RAM KARAN ... PETITIONER
STATE OF HARYANA V/S ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. D.S.Adlakha, Advocate for the petitioner.
Mr. Zorawar Singh Chauhan, DAG Haryana.

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VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in case bearing FIR No. 264 dated 08.09.2019 under Section 365 IPC, registered at Police Station Farakpur, District Yamuna Nagar.

On 25.11.2019, following order was passed:

“Notice of motion for 20.2.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner contends that the FIR has been lodged at the instance of the father of the victim alleging that she went missing from the house on 07.09.2019. The petitioner and the victim were in relationship, they have solemnized marriage on 23.10.2019, Annexure P-2 is the marriage certificate and Annexure P-3 is the photograph depicting their marriage. They had also filed a petition in this Court for protection of

their life and liberty which has been disposed of in terms of the order dated October 29, 2019 passed in CWP-31368-2019. Furthermore, the bone age of the victim is stated to be 20 years as per the medical certificate, Annexure P-6. The matter was also referred to the mediation center but the same was unsuccessful. The petitioner and the victim are happily residing as husband and wife in the house of the petitioner. Moreover, the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel, on instructions from SI Satish Kumari, has stated that though the date of birth of the petitioner in the School record is 20.12.2001, but in her statement under Section 164 Cr.P.C. the victim has stated that she has solemnized marriage with the petitioner and there is no allegation of any threat, pressure or allurement exercised by the petitioner and physical relationship. The petitioner has joined the investigation and his custodial interrogation is not required.

Keeping in view the entire circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 25.11.2019 is made absolute.

The petition stands allowed.

24.08.2022

Janki

**(VIVEK PURI)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No