

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

**CRM-M No.32158 of 2023 (O&M)**  
**DATE OF DECISION : 06.07.2023**

Parveen Kumar

.....Petitioner

versus

State of Punjab and Others

.....Respondents

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. Nirmal Sharma, Advocate for the petitioner

Mr. Adhiraj Singh, AAG Punjab

..

**ALKA SARIN, J.** (Oral):

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 (CrPC) seeking transit anticipatory bail to the petitioner as the petitioner is apprehending arrest in FIR No.241 dated 22.06.2023 under Section 363 of the Indian Penal Code, 1860 (IPC) registered at Police Station Jhijnhana, District Shamli, Uttar Pradesh.

2. Learned counsel for the petitioner would contend that the petitioner and respondent No.7 were major and wanted to marry each other. However, the parents of respondent No.7 were opposed to the marriage. The petitioner and respondent No.7 got married on 20.06.2023 as per Sikh rites

at Gurdwara Sri Guruteg Bahadur Sahib Patshahi Nauvi, Mansa Kainchian (Punjab). A copy of the marriage certificate is appended as Annexure P-3. Thereafter, the father of respondent No.7 lodged FIR No.241 dated 22.06.2023 under Section 363 IPC at Police Station Jhinhana, District Shamli, Uttar Pradesh. It is further contended that the petitioner is receiving serious threats from the family members of respondent No.7 and there is an apprehension of grave danger to his life and liberty.

3. On the previous date of hearing i.e. 05.07.2023, the learned State Counsel had sought time to get instructions in the matter. Learned counsel for the State submits that the petitioner can approach the competent Court for the appropriate relief.

4. A case with regard to apprehension of arrest during transit is made out by the petitioner. The FIR is lodged at Police Station Jhinhana in District Shamli, Uttar Pradesh. An application for anticipatory bail under Section 438 CrPC can be considered by the competent Court in Uttar Pradesh. The petitioner is, however, entitled to the transit protection enabling him to approach the competent Court for seeking the appropriate reliefs.

5. Accordingly, without going into the merits of the case, this Court deems it appropriate to protect the petitioner from arrest while in transit so as to enable him to approach the competent Court for seeking appropriate reliefs.

6. It is, thus, ordered that no coercive action be taken against the petitioner in connection with FIR No.241 dated 22.06.2023 under Section 363 IPC registered at Police Station Jhinhana, District Shamli, Uttar

Pradesh for a period of 15 days from today, enabling him to approach the competent Court for seeking appropriate reliefs.

7. The petition is accordingly disposed off. Pending applications, if any, also stand disposed off.

06.07.2023  
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(ALKA SARIN)  
JUDGE

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| NOTE:<br>Whether speaking/non-speaking: Speaking<br>Whether reportable: YES/NO |
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