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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32810-2023

Date of decision: 14.11.2023

GURPREET SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sukhbir Maandi, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

1. Petitioner is seeking anticipatory bail in the case bearing FIR No.127 dated 17.10.2022, under Sections 363, 366-A, 120-B IPC registered at Police Station Chola Sahib, District Tarn Taran.

2. On 18.08.2023, the following order was passed:-

"1. Petitioner is seeking anticipatory bail in case bearing FIR No.127 dated 17.10.2022 under Sections 363, 366-A, 120-B IPC, registered at Police Station Chola Sahib, District Tarn Taran.

2. Reply by way of affidavit of Ravisher Singh, Deputy Superintendent of Police, Sub Division Khadoor Sahib, Camp at Goindwal Sahib, District Tarn Taran on behalf of the State has been taken on record.

3. Learned counsel for the petitioner contends that the petitioner and the victim were in relationship and had also moved a petition seeking protection as they were apprehending threat to their life and liberty and CRWP-11472-2022 has been disposed of in terms of the order dated 17.01.2023. The age of the victim at the time of occurrence was 17-1/2 years. After attaining the age of

majority the victim has solemnized marriage with the petitioner and is residing in her matrimonial house with the petitioner.

4. Learned State counsel submits that in her statement under Section 164 Cr.P.C., the victim has specifically stated that she had voluntarily solemnized marriage with the petitioner and is happily residing with him in the matrimonial house. Even she refused for medical examination.

5. Adjourned to 14.11.2023.

6. 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.”

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of interim directions.

4. On instructions from ASI Kulwinder, learned State counsel has not dispute the aforesaid factual aspects and also submits that the petitioner has joined the investigation and his custodial interrogation is not required.

5. In view of the aforesaid submissions, the order dated 18.08.2023 granting interim bail to the petitioner is made absolute.

6. The petition is allowed.

14.11.2023
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(VIVEK PURI)
JUDGE

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