

CRM-M-37719-2023
Date of decision: 09.11.2023

...PETITIONERS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Gopal Singh Nahel, Advocate for the petitioners.

Ms. Ruchika Sabherwal, DAG, Punjab.

Mr. Randeep Singh Gill, Advocate for
Ms. Nargis, Advocate for the complainant.

VIVEK PURI,J. (ORAL)

1. On 11.09.2023, the following order was passed:-

“Petitioners are seeking anticipatory bail in case bearing FIR No. 07 dated 21.07.2023 under Sections 376 (2)(n), 354-A IPC, registered at Police Station Women, District Sangrur. Learned counsel for the petitioners contend that the FIR has been lodged on the allegations that Kuldeep Singh, petitioner had developed physical relationship with the complainant on the false pretext of solemnizing marriage and there are allegations of causing abortion on two occasions. The allegations against Maninder Singh and Manpreet Singh @ Mohana, petitioners are to the effect that they had extended help in causing the abortion. In fact, there is no medical evidence to support the allegations with regard to abortion. Furthermore, the complainant is aged about 28 years. Earlier, she had solemnized marriage with Shinder Pal Singh and a son has been born from the wedlock. The marriage of the complainant and Shinder Pal Singh has been dissolved by a decree of divorce dated 24.05.2019 passed by the Court of learned Addl. District Judge, Sangrur. Kuldeep Singh, petitioner and complainant have solemnized marriage on 23.07.2023 and she is happily residing in her matrimonial house with him. A compromise dated 24.07.2023 has also been effected between the parties. Even in her statement under Section 164 Cr.P.C., the complainant has acknowledged the fact of marriage with Kuldeep Singh and residing in the matrimonial house.

CRM-M-37719-2023

-2-

Notice of motion.
Ms. Ruchika Sabherwal, DAG Punjab accepts notice on behalf of the State.
Ms. Nargis, Advocate has put appearance on behalf of the complainant.
Learned State counsel, on instructions from ASI Avtar Singh, has not disputed the fact that the complainant has solemnized marriage with Kuldeep Singh, petitioner.
Adjourned to 09.11.2023.
Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

- 2. Learned counsel for the petitioners contend that the petitioners have joined the investigation in pursuance of interim directions.
- 3. On instructions from ASI Avtar, learned State counsel has not disputed the aforesaid factual aspects and also submits that the petitioners have joined the investigation and their custodial interrogation is not required.
- 4. In view of the aforesaid submissions, the order dated 11.09.2023, granting interim bail to the petitioners is made absolute.
- 5. The petition is allowed.

09.11.2023
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(VIVEK PURI)
JUDGE

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