

CRM-M-58155-2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M- 58155-2022

Date of decision : 19.04.2023

Anuj Singla

..... Petitioner

V/S

State of Haryana

..... Respondent

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. S.S.Dinarpur, Advocate with
Mr. Arvind Singh, Advocate for the petitioner.

Ms. Deepshikha Chauhan, Asst. A.G. Haryana.

Mr. Ram Kumar Saini, Advocate for the complainant.

AMARJOT BHATTI J. (ORAL)

The petitioner-Anuj Singla has filed the instant petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 107 dated 01.09.2021, under Sections 363, 366-A, 120-B of IPC and Section 12 of POCSO Act, registered at Police Station Panjokhra, District Ambala.

The facts of the case are that the complainant gave her statement to the police that on 31.08.2021 at about 11:00 AM Anuj @ Monu enticed her daughter aged about 17 years and took her with the intention to marry her. She tried to search her daughter but could not locate her whereabouts. On the basis of this information present FIR was registered. The investigation was carried out and the victim was recovered on 18.11.2022 and her statement was recorded before the Magistrate in which she claimed that she is major and left the house on her own and she further claimed that she had solemnized love marriage on 12.09.2022.

Learned counsel for the petitioner argued that he is falsely implicated in this case. After performing marriage they had approached the Hon'ble High Court for protection of their life and liberty by filing "**CRWP No.8346 of 2021 titled as Taniya**

and another Vs. State of Haryana” and others. She had filed a complaint through registered post which is Annexure P-2. A false FIR has been registered on the statement of mother of alleged victim. He has already joined the investigation. It is prayed that his anticipatory bail application may be allowed.

The learned State counsel has filed detailed status report, which is taken on record. It is argued that the victim is a minor. As per the 10th class certificate, her date of birth is 10.09.2004. Therefore, offence under Section 12 of POCSO Act was added. She has not levelled any allegation against the present petitioner while giving statement before the Magistrate. In fact she is under the influence of present petitioner. It is conceded that the petitioner has already joined the investigation. However, considering the gravity of offence he is not entitled to be released on bail.

I have considered the arguments and have gone through the record. The petitioner was granted ad-interim bail on 23.12.2022. He has already joined the investigation. As per the status report it is also confirmed that the alleged victim claimed herself to be major and further alleged that they have performed love marriage on 12.09.2022. In pursuance of this they also filed protection petition. The present petitioner is not required for any other purpose. He is still ready to abide by the terms of bail order. Therefore considering the factual position the ad-interim bail already granted vide order dated 23.12.2022 stands confirmed subject to the conditions enshrined under Section 438(2) Cr.P.C.

The petition is accordingly accepted.

(AMARJOT BHATTI)
JUDGE

19.04.2023.
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No