

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-27670-2024 (O&M)
Date of Decision: 12.09.2024

AMANDEEP SINGH ALIAS AMANDEEP

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- None for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

HARPREET KAUR JEEWAN, J.

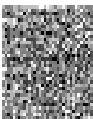
1. The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.183 dated 13.05.2024, under Sections 376 and 506 IPC, 1860, registered at Police Station Ladwa, District Kurukshetra.
2. On 28.05.2024, this Court passed the following order and directed the petitioner to join the investigation:

'The present petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail to the petitioner in case FIR No.183 dated 13.05.2024 under Sections 376, 506 IPC registered at Police Station Ladwa, District Kurukshetra.

Learned counsel for the petitioner *inter alia* contends that both the petitioner and the complainant are major. He further contends that there was a consensual relationship *inter se* the petitioner and the complainant. There was no promise of marriage since the complainant is already married and having one male child, who is presently 7 years of age from her previous marriage. He submits that the alleged agreement of panchayati divorce (Annexure P-2) is not valid.

Notice of motion.

On the asking of the Court, Mr. Amrik Singh Narwal, DAG, Haryana accepts notice on behalf of respondent-State and seeks



short accommodation.
Mr. Shivam Chaudhary, Advocate has put in appearance on behalf of the complainant and filed his power of attorney, which is taken on record. He contends that the complainant is an illiterate lady and she is not aware as to whether panchayati divorce is legally valid?
Adjourned to 05.08.2024.
In the meanwhile, the petitioner is directed to join investigation within ten days and in the event of arrest, he shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate.'

3. Learned State counsel has informed that the petitioner has joined the investigation in terms of the order dated 28.05.2024 passed by this Court and his further custodial interrogation is not required.
4. I have heard the aforesaid submissions and perused the relevant documents.
5. In view of the aforesaid facts and the reasons recorded in the order dated 28.05.2024 and keeping in view the fact that the petitioner has joined the investigation; his custodial interrogation is not required and the allegations and counter-allegations between the petitioner and the complainant are matter of trial, the present petition is allowed and the order dated 28.05.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.
6. It is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
7. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

12.09.2024		
P.Bhatt	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No