

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

**Criminal Misc. No. M-21036 of 2015
Date of Decision:-02.7.2015**

Harjit Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Bhupinder Ghai, Advocate
for the petitioners.

HARI PAL VERMA J.(Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioners in case FIR No.29 dated 13.4.2015, under Sections 366, 363, 380, 148 and 149 IPC read with Section 25 of the Arms Act, registered at Police Station Verowal, District Tarntaran.

Learned counsel for the petitioners contends that the FIR was lodged at the behest of Harbans Kaur, who is maternal grand mother of Harpreet Kaur. He further submits that in fact petitioner No.1 and said Harpreet Kaur appeared before this Court seeking direction to protect their life and liberty, which was provided vide order dated 21.4.2015, hence there is no question of abduction of Harpreet Kaur. He further

submits that even today Harpreet Kaur is also present in the Court.

Notice of motion.

At this stage, Mr. Ranjit Sharma, Advocate puts in appearance and accepts notice on behalf of complainant. He submits that the present FIR was registered on 13.4.2015 whereas protection was granted to the petitioner No.1 and Harpreet Kaur on 21.4.2015 in CRM-M-12306 of 2015 titled 'Harpreet Kaur and another vs. State of Punjab and others'.

At the asking of the Court Mr. Gurinderjit Singh, Deputy A.G., Punjab, accepts notice on behalf of State.

Considering the fact that Harpreet Kaur has already approached this Court in CRM-M-12306 of 2015 and has sought for protection on the ground that she has solemnized marriage against the wishes of her parents, the offence under Section 366 IPC is not made out particularly when she is present in the Court.

In view of the aforesaid facts, the petitioner deserves to be extended the benefit of anticipatory bail under Section 438 Cr.P.C. However, it is made clear that the petitioner shall continue to join the investigation as and when required by the investigating officer and shall abide by the conditions laid down under Section 438(2) Cr.P.C.

It is made clear that any expression made here-in-above shall not form an opinion on the merits of the case.

With the aforesaid observation, the present petition is disposed of.

July 02, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE