

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.41088 of 2014(O&M)

Date of Decision :15.01.2015

Mahabir Singh and another

.....Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.Vikas Gupta, Advocate
for the petitioners.
Mr.APS Gill, AAG, Punjab.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for anticipatory bail filed in case bearing FIR No. 59 dated 13.09.2014, under Sections 363/366-A/120-B IPC, registered at Police Station Khaira, Distt. Tarn Taran.

The allegations are that Jodhbir Singh who is the son of petitioner No.2 and brother of petitioner No.1, enticed away a minor girl on 10.09.2014. A Criminal Writ Petition No. 1548 of 2014 had been filed by the complainant seeking a writ of habeas corpus directing the respondents(including the present petitioners) to produce the minor girl. In the bail application the argument raised by learned counsel is that the petitioners also have no idea where the main accused has taken the girl and are being implicated only because of the action of Jodhbir Singh who is the

brother and son of petitioners No. 1 and 2 respectively. Even the father of the main accused was arrested and was released on bail after 1 ½ months.

Learned AAG states that despite best efforts the main accused and the minor girl have not not been recovered. In the circumstances I do not deem it appropriate to deny the concession of anticipatory bail to the present petitioners. Let the petitioners appear before the investigating officer on 29.01.2015 between 10.00 a.m. to 4.00 p.m. and on any other date on which their appearance is so required by the investigating officer. On their appearance the investigating officer shall release them on anticipatory bail to his satisfaction subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

January 15, 2015
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