

**Sr. No. 210
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-2034 of 2016 (O&M)

Date of Decision: 06.04.2016

Dhamal

...Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. J.S.Ghumman, Advocate,
for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.541 dated 02.05.2015 under Sections 365, 506 of the Indian Penal Code (for short 'IPC'), registered at Police Station Gurgaon, District Gurgaon.

While issuing notice of motion, the following order was passed by this Court on 20.01.2016:

“Petitioner seeks concession of pre-arrest bail in FIR No.541 dated 02.05.2015, under Sections 365, 506 of Indian Penal Code, registered at Police Station Gurgaon, District Gurgaon.

Counsel would, inter alia, contend that daughter of the complainant, namely, Lavleena had entered into matrimony with main accused Jonny two years back. Allegations have now surfaced that on 01.05.2015, daughter Lavleena has been

kidnapped by Jonny as also the present petitioner.

Counsel would contend that during the course of investigation, the police authorities have recorded the statement of Lavleena and who had stated that she had gone along with Jonny of her own accord and wish. It is further contended that main accused Jonny has already been granted benefit of regular bail.

Notice of motion, returnable for 06.04.2016.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Rattan Lal would apprise the Court that petitioner has since joined investigation.

That apart the contentions noticed in the order dated 20.01.2016 have gone un rebutted.

Under such circumstances, custodial interrogation of the petitioner would not be warranted. Present petition is allowed. Order dated 20.01.2016, passed by this Court, is made absolute.

Disposed of.

06.04.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**