

210 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35148-2017 (O&M)

Date of Decision: 10.10.2017.

Malkit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Parvez Chugh, Advocate,
for the petitioner.

Ms. Anju Arora, Addl. AG Punjab
assisted by ASI Kashmir Singh.

Mr. ADS Jattana, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(ORAL)

CRM No. 32680 of 2017

The application is allowed. Tarsem Singh is
impleaded as respondent No.2. Amended memo of parties is taken on
record.

Main case.

The present petition has been filed under Section 438
Cr.P.C seeking anticipatory bail in case FIR No.95 dated 16.06.2017
registered under Sections 363 and 366-A IPC at Police Station Sadar
Patti, District Tarn Taran.

On 20.09.2017 this Court had passed the following

order:-

“Learned counsel refers to Annexure P-2 to contend that the petitioner and the daughter of the complainant want to solemnize marriage with each other. The daughter of the complainant herself left the company of the complainant and joined the company of the petitioner. Apprehending threat to their life and liberty at the hands of the complainant, the petitioner and the complainant's daughter moved representation, Annexure P-2, before the Station House Officer, Sadar Patti. The daughter of the complainant has reached the age of discretion.

Notice of motion for 10.10.2017.

At the asking of the Court, Mr. A.S. Gill, Sr. DAG, Punjab, accepts notice. A complete copy of the paper book has been handed over to learned State counsel, in the Court.

The petitioner is directed to join the investigation.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

1. That he shall make himself available for interrogation by a police officer as and when required;
2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
3. That he shall not leave India without prior permission of the Court.”

It is contended that in pursuance of the order dated 20.09.2017, the petitioner has joined the investigation. It is further contended that the prosecutrix is presently lodged in Gandhi Vanita Ashram (Children Home), Jalandhar. She has made a statement that she

has apprehension of her life and liberty at the hands of her parents.

Learned State counsel, on instructions, states that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of above, the order dated 20.09.2017 passed by this Court is made absolute, subject to furnishing of bail-bonds/surety bonds by the petitioner to the satisfaction of the CJM/Duty Magistrate concerned.

The petition stands allowed.

10.10.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No