

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

CRM-M-12304 of 2019.

Decided on:- September 16, 2019.

Jasbir Singh and others

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

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

Present:- Mr. Karanjit Singh Gill, Advocate
for the petitioners.

Mr. Saurav Khurana, D.A.G., Punjab.

Mr. Achin Gupta, Advocate
for the complainant.

HARI PAL VERMA, J. (Oral)

The petitioners have filed the present petition under Section 438 Cr.P.C. seeking anticipatory bail in the event of their arrest in FIR No.10 dated 17.01.2019 under Sections 452, 323, 324, 427, 148 and 149 IPC (Section 354 IPC and Sections 7 and 8 of the Protection of Children from Sexual Offences Act, 2012 were added later on) registered at Police Station City Faridkot, District Faridkot.

Vide order dated March 18, 2019, this Court had issued notice of motion on the statement of learned counsel for the petitioners that no injury is attributed to the petitioners, which is declared grievous in nature. Thereafter, vide order dated May 22, 2019, the petitioners were granted interim bail by this Court.

The victim and her mother i.e. complainant Rajdeep Kaur are present in Court along with counsel Mr. Achin Gupta Advocate. Power of attorney filed on behalf of the complainant in Court today, is taken on record.

Learned counsel for the complainant has presented the photographs of injuries which show that the complainant side has been given injuries.

Learned State counsel and learned counsel for the complainant have argued that the allegations against the petitioners are that they forcibly entered the house of the complainant as they want to solemnise the marriage of the daughter of the complainant with petitioner No.3-accused Lovepreet Singh in forcible manner. It was at the behest of petitioner No.3, the other accused had entered the house of the complainant and had given injuries to the complainant side. Therefore, the conduct of petitioner No.3-accused Lovepreet Singh does not warrant his release on anticipatory bail.

Having heard learned counsel for the parties, this Court finds that the allegations against petitioner No.3-accused Lovepreet Singh are that he wanted to solemnise marriage with the victim against her wishes, who is otherwise a minor girl. In this manner, he along with other co-accused/ petitioners had visited the house of the complainant and gave injuries to the complainant side. Therefore, this Court finds that no ground is made out to grant anticipatory bail to petitioner No.3 Lovepreet Singh as he being the main accused, who wanted to kidnap the minor daughter of the complainant from her house in order to pressure her to solemnise marriage with him.

Accordingly, the present petition is dismissed qua petitioner No.3 Lovepreet Singh, whereas qua the remaining petitioners, the same is

allowed and the interim bail granted to the petitioners No.1, 2 and 4 to 12 vide order dated May 22, 2019 is made absolute.

However, if required, the petitioners No.1, 2 and 4 to 12 shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

September 16, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No