

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-12500-2019 (O&M)
Date of Decision:- 13.11.2019

Ram Sagar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rahul Singla, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana,
assisted by SI Janak Singh.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Ram Sagar, seeks grant of anticipatory bail in a case registered vide FIR No.48, dated 19.2.2019, registered at Police Station Sadar Yamuna Nagar, under Sections 363, 366-A IPC.
2. The FIR was lodged at the instance of Som Pal wherein it is alleged that his daughter aged 16 years went missing from home on 18.2.2019 and although they tried to look for her but she could not be

found. It is alleged that later they came to know that complainant's neighbour Ram Sagar and his son Rahul had fled away with his daughter.

3. Learned counsel for the petitioner has submitted that he has been falsely implicated in the present case merely on account of the fact that complainant's daughter went missing and he suspected that she had eloped with son of the petitioner.
4. Learned counsel for the petitioner has further submitted that in fact in statement of the complainant's daughter, recorded in terms of Section 164 Cr.P.C. she has categorically stated that she had accompanied Rahul i.e. petitioner's son out of her own accord and she wanted to solemnize marriage with him.
5. Opposing the petition, learned State counsel has submitted that since the complainant's daughter is a minor, no case for grant of bail is made out. Learned State counsel has however, informed that the petitioner has since joined investigation.
6. Having considered rival submissions addressed before this court and bearing in mind that the case apparently appears to be one where complainant's daughter had eloped with petitioner's son, the involvement of the petitioner in the episode of elopement of complainant's daughter would certainly be debatable especially in view of statement of the prosecutrix recorded in terms of Section 164 Cr.P.C. In any case, the petitioner is stated to have joined investigation and as on date challan stands presented against Rahul only. The petition, as such, is accepted and interim directions issued

vide order dated 18.3.2019 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

November 13, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No