

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

CRM-M-12554-2019

Date of decision:29.10.2019

SHOBHA

....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Bhriugu Dutt Sharma, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.186 dated 17.12.2018 under Sections 363, 366, 120-B of the Indian Penal Code, Police Station Bhargo Camp, District Jalandhar.
2. The FIR was registered at the instance of Sharda wherein it has been alleged that on 16.12.2018 when she along with her daughter was present in her house, then the petitioner-Shobha along with her daughter Aarti who reside in the neighbourhood came to their house and took her daughter along with them. It is alleged that since complainant's daughter did not return back she went to the house of the petitioner and the petitioner informed that complainant's daughter had already left. Although the complainant searched for her daughter but she could not be traced. The complainant thus alleged that the petitioner and her daughter

had enticed away complainant's daughter on the pretext of solemnizing marriage with petitioner's son namely Sonu.

3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the present case and that in fact even the son of the petitioner is missing till date and is not traceable and that apparently it is a case where the complainant's daughter and petitioner's son had left their respective houses on their own accord.
4. Opposing the petition, learned State counsel has submitted that since the complainant's daughter is still missing, no case for grant of bail is made out. It is however informed that the petitioner has joined investigation.
5. Having regard to the facts and circumstances of the case and also the fact that petitioner has already joined investigation, custodial interrogation of the petitioner is not warranted. Accordingly the petition is accepted and the interim directions issued vide dated 2.4.2019 by this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

(GURVINDER SINGH GILL)
JUDGE

29.10.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**