

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

CRM-M-24267-2019

Date of decision: 11.9.2019

GURMEET SINGH

....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Parminder Singh Kanwar, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.92 dated 27.6.2018 under Sections 363, 366-A, 120-B IPC and Sections 7 & 8 of POCSO Act, Police Station Goindwal Sahib, District Tarn Taran.
2. The FIR was registered at the instance of maternal uncle of Amandeep Kaur wherein the complainant Harbhajan Singh has alleged that his niece namely Amandeep Kaur i.e. daughter of his sister went missing on the night intervening 8/9.06.2018 and despite their best efforts they could not trace her. It is further stated therein that from the courtyard of the house two '*Dattar*' and one mobile phone was found below the bed of his niece. The complainant alleged that they strongly suspect that his niece had been enticed by their neighbour Gurmeet Singh on the pretext of solemnization of marriage with his brother Mandeep Singh @ Kogad in connivance with their father Nirbhail Singh.
3. Learned counsel for the petitioner has submitted that he has been

implicated in the present case by levelling false allegations and that complainant's niece accompanied the petitioner out of her own volition and free will and had solemnized marriage and they are presently living as husband and wife.

4. Opposing the petition, learned State counsel has submitted that since the petitioner has been specifically named in the FIR and that complainant's niece was a minor at the time of occurrence, no case for grant of anticipatory bail is made out.
5. I have considered rival contentions addressed before this Court. Keeping in view the fact that it is a case where complainant's niece had apparently accompanied the petitioner out of her free will and had also solemnized marriage with the petitioner, present case is not such which would warrant detention of the petitioner at this stage. Accordingly the petition is accepted and the interim directions issued vide dated 28.05.2019 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.
6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

11.9.2019
Gaurav Sorot

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

Whether reportable? **Yes / No**