

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

**CRM-M No.25400 of 2019 (O&M)
Date of Decision: 30.05.2019**

Dharam Pal and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vishva Bahl, Advocate for the petitioners.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for directing the official respondents Nos.1 to 3 not to allow respondent Nos.4 to 6 or anybody else to interfere with the liberty of the petitioners or to harass them in any manner in a criminal case bearing FIR No.0071 dated 14.05.2019 (P-3), under Sections 363 and 366 of the Indian Penal Code, 1860, registered at Police Station City Batala, District Batala.

Brief facts are that petitioner Nos.1 and 2 are having three sons, namely, Suraj Anand, Deepak Anand and Ansh Anand. Deepak Anand solemnized the marriage with one Lakshmi Malhotra on 12.05.2019 against the wishes of their respective parents and she made a complaint (P-2) on the same date to SSP, Batala for apprehending false implication in a criminal case at the instance of their parents and relatives.

Paper-book reveals that the aforesaid FIR was registered against Deepak Anand at the instance of Ram Dass Malhotra i.e. father of Lakshmi

Malhotra by alleging that she has been abducted on the pretext of marriage by Deepak Anand. A joint complaint bearing No.4210/6/2019 was also made by Deepak Anand and his wife-Lakshmi Malhotra before the Punjab Human Rights Commission and the same stands disposed off vide order dated 17.5.2019 (P-4) with a direction to SSP, Batala to protect the life and liberty of both of them, if so required. Petitioner Nos.1 to 4 also made a complaint to SSP, Batala against Ram Dass Malhotra not to implicate them in the aforesaid FIR.

It is contended by learned Counsel for the petitioners that since Deepak Anand has been dis-inherited by his parents, therefore, they should not be implicated in the FIR, registered against their son.

Heard learned Counsel for the petitioners and perused the paper-book.

There is no dispute that aforesaid FIR has been registered at the instance of respondent No.4-Ram Dass Malhotra with the allegations that his elder daughter, namely, Lakshmi Malhotra left the house on 11.05.2019 at about 2:30 PM with her friend-Ananya Kamra for celebrating birthday party, but she did not turn up. It is further alleged that despite best efforts, he was not able to trace his daughter and ultimately, came to know that Deepak Anand has abducted her on the pretext of solemnizing the marriage.

Concededly, investigation in the above FIR is still going on and the petitioners have not received any notice in this regard from the police, therefore, there cannot be any preemptive order to the Investigating Agency for asking any question relating to the investigation of the matter from the

persons, who are acquainted with the facts of the case. There is no dispute that investigation in the criminal case is to be conducted within the four corners of law, but there should not be any interdict until and unless there is violation of the relevant provisions of law in this regard.

Learned Counsel for the petitioners has miserably failed to show that investigation in the matter is being conducted contrary to any provisions of law, therefore, no blanket directions can be issued to respondent Nos.1 to 3 not to question the petitioners regarding the investigation of the criminal case mentioned above.

In view of above, this Court is left with no option except to dismiss the present petition.

Ordered accordingly.

However, it is clarified that the observations, made above, may not be construed as an expression of opinion on the merits of the case regarding the complicity of the petitioners in FIR No.0071 dated 14.05.2019 (P-3).

May 30, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes