

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

CRM-M-31236-2019 (O&M)
Date of Decision:- 15.10.2019

Harjinder Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ankur Bansal, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Harjinder Kaur, seeks grant of anticipatory bail in a case registered vide FIR No.78, dated 14.6.2019, registered at Police Station Kartarpur, under Sections 363, 366, 120-B IPC.
2. The FIR was registered at the instance of Resham Singh wherein it has been alleged that his daughter aged about 16 years went missing on 8.6.2019 and although they tried their best to search for her but she could not be found. The complainant alleged that he strongly suspected that his daughter had been enticed away by Lakhwinder

Singh in connivance with his parents Karamjit Singh and Harjinder Kaur on the pretext of solemnizing marriage of his daughter with Lakhwinder Singh.

3. Learned counsel for the petitioner has submitted that in fact the complainant's daughter had left her home voluntarily and accompanied Lakhwinder Singh out of her own free will and that the complainant and his family did not approve of the relationship of her daughter with petitioner's son Lakhwinder Singh. Learned counsel has further submitted that in fact the complainant's daughter and Lakhwinder Singh had approached this Court by way of filing CWP No.20379-2019, seeking protection as they apprehended threat to their life and liberty at the hands of the complainant and other members of his family.
4. Opposing the petition, the learned State counsel has submitted that since the complainant's daughter is a minor, and had been kidnapped by Lakhwinder Singh and in the FIR there are specific allegations to the effect that Lakhwinder Singh had kidnapped his daughter in connivance with petitioner and her husband, no case for grant of bail is made out. It has however been submitted that challan stands already presented.
5. I have considered rival submissions addressed before this Court. Without commenting anything on merits of the case and while noticing that it is a case where the complainant's daughter has accompanied the petitioner's son against the wishes of the complainant, it cannot be said for certainty at this stage as to whether

the petitioner had any role to play in the alleged running away of the complainant's daughter. The petition, as such, is accepted and interim directions issued vide order dated 23.7.2019 are made absolute subject to the condition that the petitioner shall appear regularly before the Trial Court and shall abide by all such conditions as may be imposed by the Trial Court.

October 15, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No