

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

CRM-M-39547-2019

Date of decision:20.9.2019

BHAGWAN DASS

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.61 dated 5.4.2019 under Sections 363, 366-A of Indian Penal Code, registered at Police Station Canal Colony, District Bathinda.
2. The FIR came to be lodged at the instance of Jagdish Goel wherein it has been alleged that on 2.4.2019 when he woke up in the morning, then he found his daughter was missing and although the family searched for their daughter but she could not be found. It is further alleged that upon further checking they came to know that an amount of ₹3 lacs was also missing from the house. The complainant suspected that his daughter had been enticed away by Bhagwan Dass.

3. Learned counsel for the petitioner has submitted that a false FIR has been lodged against the petitioner and that he had never enticed complainant's daughter and that complainant's daughter had voluntarily accompanied the petitioner out of her own free Will and volition and had solemnized marriage with the petitioner. It has further been submitted that since the petitioner and his wife apprehended threat to their lives and liberty, they were constrained to approach this Court by way of filing CRM-M-17724-2019 seeking protection wherein certain directions were issued by this Court. Learned counsel further submitted that the complainant's daughter in any case has not supported the case of prosecution when her statement was recorded in terms of Section 164 Cr.P.C..
4. The aforesated position is not disputed by learned State counsel. It has further been informed that investigation has already been concluded and challan already stands presented.
5. Bearing in mind the aforesated circumstances and also that challan has already been presented, further detention of the petitioner would not be justified. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

(GURVINDER SINGH GILL)
JUDGE

20.9.2019
Gaurav Sorot

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

Whether reportable? **Yes / No**