

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

CRM-M-40809-2019 (O&M)

Date of Decision:-27.9.2019

Harbhajan Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikram Jeet Singh, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.77 dated 13.8.2019 at Police Station Division No.2, District Pathankot under Sections 363, 366 and 34 of Indian Penal Code.
2. The FIR was registered at the instance of Shashi Singh, wherein it has been alleged that when he woke up in the morning on 12.8.2019, he found that his daughter was missing. Although they searched for her but she could not be found. Later on, the next day, they came to know that Raju son of Harbhajan Singh alongwith one more man and woman had enticed away her daughter with an intention to marry her.
3. The learned counsel for the petitioners has submitted that the petitioners are parents of Raju, with whom the complainant's daughter is alleged to have run away, and that they have falsely been implicated simply in order to pressurize

the petitioners' son. It has further been submitted that infact the complainant's daughter had voluntarily accompanied the son of the petitioners and that the complainant's daughter and the son of the petitioners are presently residing together in live-in-relationship.

4. Opposing the petition, the learned State counsel has submitted that although the petitioners are not named in the FIR but they came to be nominated on the basis of a supplementary statement made by the complainant on 17.8.2019. The learned State counsel has thus prayed for dismissal of the petition.
5. I have considered rival submissions addressed before this Court.
6. It apparently appears to be a case where the complainant's daughter had left her parental home with son of the petitioners, who had both later approached this Court by way of filing CWP-21885 of 2019 seeking protection of their lives and liberty. In these circumstances, the role of the present petitioners, who happen to be parents of Raju, will certainly be debatable. The petitioners, in any case, have been behind bars since the last about one month and are aged about 60 and 55 years, respectively.
7. Bearing in mind the aforesaid facts and circumstances, further detention of the petitioners will not serve any useful purpose. The petition, as such, is accepted and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

27.9.2019

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Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**