

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

**CRM-M No.39820 of 2018**

Date of decision: 28<sup>th</sup> November, 2019

Kuldeep Singh @ Vicky

... Petitioner

Versus

State of Punjab & another

... Respondents

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present: Mr. M.K. Arya, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab  
for the respondent/State.

**FATEH DEEP SINGH, J. (ORAL)**

Allegations against the petitioner Kuldeep Singh alias Vicky in this first anticipatory bail application under Section 438 Cr.P.C. in case bearing FIR No.75 dated 13.04.2018 under Sections 363, 366-A IPC pertaining to Police Station Civil Lines, Batala have been levelled by complainant Rajwinder Kaur, mother of 16 years old girl. In her allegations, the complainant alleges that on 23.03.2018 her daughter in the early hours went away from home and it subsequently transpired that she had eloped with accused non-applicant Dilbagh Singh alias Bagha who happens to be younger brother of the present petitioner Kuldeep Singh alias Vicky, leading to registration of the present case.

Learned counsel for the petitioner Mr. M.K. Arya, Advocate inter alia contends that the petitioner is not attributed any role in

commission of the offence. It is the lovelorn couple, who were in a relationship and have eloped in which the petitioner has not been assigned any role and has been roped in merely being elder brother of the accused.

On behalf of the State, Ms. Sakshi Bakshi, Assistant Advocate General, Punjab on instructions from ASI Rakesh Kumar, has not controverted the facts brought before this Court but has sought to oppose the grant of bail on the grounds that the girl is yet to be recovered, but has fairly conceded at the bar that there is no specific attribution in the case to the petitioner.

Going through the submissions of the two sides, as is there before this Court, it is the younger brother of the petitioner who has eloped with the girl. Learned State counsel fairly concedes at the bar that there is no specific role against the petitioner thus this Court is of the opinion that petitioner's joining the investigations would suffice the purpose. In view thereof, the petitioner is directed to appear before the investigating officer within ten days from today, and on his doing so he shall be released on bail to the satisfaction of the investigating officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438 (2) Cr.P.C.

Thereafter, the petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)  
JUDGE

November 28, 2019

*rps*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |