

S.No.110

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

CRM-M-20517 of 2020 (O&M)

Date of Decision:27.07.2020

Gupreet Singh alias Harpreet Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. S.P. Soi, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.127 dated 06.07.2020 registered under Sections 363, 366-A IPC at Police Station Nakodar Sadar, District Jalandhar Rural.

It is contended by counsel for the petitioner that the case against the petitioner is totally false. In fact, the daughter of the complainant has married the petitioner against the wishes of the complainant. The petitioner and his wife were apprehending threats, therefore, they had filed a joint petition before the High Court seeking protection as well. The same was allowed by the High Court. However, now the case has been registered against the petitioner. The daughter of the complainant, who is the wife of the present petitioner, is still residing with the petitioner. The petitioner shall join the investigation and shall also bring his wife with him when he goes to join the investigation., There is no other case against the petitioner.

Notice of motion.

Mr. V.G. Jauhar, Sr. DAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel, on instructions from ASI Gurnam Singh, has submitted that there is specific allegation against the petitioner for enticing away the daughter of the complainant, who is a minor girl, however, it is not disputed that the said girl is still with the petitioner and that they had earlier filed a petition before the High Court seeking protection of their life and liberty.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

It is also ordered that the petitioner shall take along with him the girl in question as well, when he goes to join the investigation. The Police may record her statement as well. However, the Police shall ensure that no physical harm is caused to the girl or to the present petitioner.

July 27, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No