

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

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CRM-M-24477-2020

Date of Decision: 26.08.2020.

Ranjit Singh and another

....Petitioners.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Ritesh Pandey, Advocate for the petitioners.

Suvir Sehgal, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Present petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioners in case FIR No.19 dated 31.05.2019, under Section 363, 366-A, 120-B IPC later on offence under Sections 9 and 10 of POCSO Act, registered at Police Station Ghuman Kalan, District Gurdaspur.

Counsel for the petitioners has argued that the petitioners are in-laws of the alleged victim-girl. The son of the petitioners, namely, Harjit Singh and the girl got married on 17.03.2020 and filed a petition bearing CRWP-2914-2020 seeking protection of their life and liberty. This Court vide order dated 19.03.2020, Annexure P2, directed the Senior Superintendent of Police, Gurdaspur, to look into the representation submitted by them and take suitable action in case any threat is perceived. Counsel has further argued that the girl is staying at her matrimonial home.

Notice of motion.

Mr. Sukhbeer Singh, AAG, Punjab, who is available on conference call accepts notice on behalf of the respondent-State. Advance copy of the petition has already been served upon the State.

State counsel, on instructions from ASI Kulwinder Singh, submits that the statement of the girl was recorded before the Magistrate under Section 164 Cr.P.C. In her statement, the girl has specifically stated that she had left her parental home on 30.05.2019 on her own free will and lived with Harjit Singh at Bathinda. According to her, she got married on 17.03.2020 and is now happily staying with her husband and in-laws. A copy of the statement has been placed on the record.

I have considered the rival submissions of the parties.

Keeping in view the facts and circumstances and without commenting on the merits of the case, this petition is allowed. The petitioners shall join the investigation and would be present as and when called for and in the event of arrest, the petitioners shall be admitted to bail on their furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

It is clarified that any observation made herein above shall not be construed as an expression of opinion on the merits of the case. If the petitioners does not join the investigation that it will be open to the State to file an application to recall the order.

(SUVIR SEHGAL)
JUDGE

26.08.2020

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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No