

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3619-2021 (O&M)

Date of decision: 07.04.2021

Tejinder Kaur @ Saroj Rani and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.D.S. Bali, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Ms. Gurvir Kaur Gill, Advocate
for respondent No.3-complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.189 dated 04.12.2020 under Sections 363, 366-A IPC (Section 376 IPC read with Section 4 of POSCO Act was added later on), registered at Police Station Sadar Jalalabad, District Fazilka.

While granting interim bail to the petitioners, following order was passed by this Court on 19.02.2021: -

“Learned counsel for the petitioners submits that petitioner No. 1 is the married sister of Arshdeep Singh, who has allegedly married Neelam Rani, daughter of respondent No. 3/complainant Kulwant Singh.

Learned counsel further submits that later on, the date of

birth of Neelam Rani was found to be 19.06.2004, as per inquiry conducted by the Chief Judicial Magistrate in compliance with an earlier order passed by this Court in CRWP-10067-2020.

Learned counsel further submits that primary allegations in the FIR are that petitioners have helped Arshdeep Singh in enticing away the daughter of the complainant and she, being minor, was not capable of performing marriage.

It is further submitted that aforesaid Arshdeep Singh has already surrendered before the Court.

Learned State counsel, assisted by learned counsel for the complainant, on instructions from ASI Harbans Singh, does not dispute that Arshdeep Singh has already surrendered before the Court on 16.02.2021 and the case is still at the stage of investigation...”

Learned counsel for the petitioners submits that in pursuance of the aforesaid order, the petitioners have joined the investigation and are not required for any further investigation.

Learned State counsel, assisted by learned counsel for respondent No.3-complainant and on instructions from ASI Harbans Singh, has not disputed the factual position and states that the petitioners are no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 19.02.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

07.04.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No