

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

I) CRM-M-38939-2020 (O&M)

Parveen Rani and another ... Petitioners

Versus

State of Punjab ... Respondent

II) CRM-M-41846-2020 (O&M)

Amarjit Singh ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-7.1.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurdeepinder Singh Dhillon, Advocate for the petitioner(s).

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Satnam Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the aforesaid two petitions filed on behalf of petitioners Parveen Rani, Manjit Singh @ Babbu and Amarjit Singh seeking grant of anticipatory bail in respect of a case registered vide FIR No.131 dated 16.9.2020 at Police Station Makhu, District Ferozepur under Sections

363, 366-A of Indian Penal Code, wherein offences under Section 6 and 4 of Protection of Children from Sexual Offence Act, 2012 and Sections 376, 344 and 509 IPC were added lateron.

2. The FIR in question was lodged at the instance of Jagir Singh, wherein it is alleged that Amarjeet Singh, Parveen, AjayPal @ Raj alongwith 2-3 unknown persons had forcibly taken away his daughter against her will so as to force her to marry AjayPal @ Raj and that although he had asked them to send back his daughter, but to no avail.
3. Learned counsel for the petitioners has submitted that it is case where the complainant's daughter is a major and had left her home out of her own accord so as to marry AjayPal @ Raj. It has been submitted that since the complainant did not accept the aforesaid relationship, therefore, the instant FIR has been lodged against all the relatives of AjayPal @ Raj. It has been submitted that while Parveen Rani is sister of AjayPal @ Raj; Manjit Singh @ Babbu is brother-in-law (Jija) of AjayPal @ Raj and the petitioner Amarjit Singh is a distant relative of AjayPal @ Raj. Learned counsel has further submitted that infact when the statement of girl was recorded on 7.11.2020 before the Superintendent, Children Home for Girls, Gandhi Vanita Ashram, Jalandhar City (Annexure P-6), she categorically stated that she had married AjayPal @ Raj and that she may be sent to her in-laws family. It has further been submitted that vide order dated 24.11.2020 (Annexure P-7), this Court had also issued directions to the Superintendent, Children Home for Girls, Gandhi Vanita Ashram, Jalandhar City to handover the custody of the girl to her in-laws and that as such it is apparent that the complainant's daughter had

left her home on her own accord and the petitioners do not have any role to play in the alleged elopement of complainant's daughter.

4. The learned State counsel, upon instructions from ASI Satnam Singh, has informed that pursuant to interim directions issued by this Court, the petitioners have since joined investigation and are not required for any custodial interrogation.
5. Having regard to the aforestated facts and circumstances especially bearing in mind that the complainant's daughter was permitted to reside with her in-laws on her own choice and that the petitioners have already joined the investigation, their custodial interrogation is not warranted. The petitions, as such, are accepted and the interim directions issued by this Court vide orders dated 25.11.2020 and 15.12.2020 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

7.1.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No