

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4196-2022 (O&M)

Date of Decision: 11.05.2022

PARAMJIT SINGH AND ANOTHER

... PETITIONERS

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Parveen Sharma, Advocate for the petitioners.

Ms. Ruchika Sabherwal, AAG Punjab.

* * *

VIVEK PURI, J. (ORAL)

On 17.02.2022, following order was passed:

“Petitioners are seeking anticipatory bail in case bearing FIR No. 259 dated 05.12.2021 under Sections 346, 120-B of IPC (Sections 363, 366 IPC added later on) registered at Police Station Goindwal Sahib, District Tarn Taran.

Briefly, the FIR has been registered on the basis of the statement of the mother of the victim alleging that on 12.11.2021 at about 7 A.M., the victim had gone for the work in factory and did not return back. The complainant also came to know that Surjan Singh i.e. the son of the petitioners had also not gone to the factory.

Learned counsel for the petitioners contends that name of the petitioners, who are the parents of Surjan Singh, has been mentioned in the FIR on the basis of the suspicion only. Moreover, the victim and the son of the petitioners had preferred a protection petition bearing CRWP-790-2022. In the said petition, the date of birth of the victim was stated to be 01.01.2003 and as such, she was aged more than 18 years at the time of occurrence.

Notice of motion.

Mr. Rana Harjasdeep Singh, DAG Punjab accepts notice on behalf of the State.

Adjourned to 11.05.2022.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim 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.”

Learned counsel for the petitioners state that the petitioners have joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel, on instructions of ASI Jasbir Singh has not assailed the aforesaid factual aspect of the case and has further stated that the custodial interrogation of the petitioners is not required.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioners. The order dated 17.02.2022 is made absolute.

The petition stands allowed.

11.05.2022
Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No