

204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31269-2023
Date of Decision: 22.09.2023

MANGAT RAM ALIAS BUBBI
V/S

... PETITIONER

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. J.S.Thakur, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

* * * *

VIVEK PURI, J. (ORAL)

1. On 26.07.2023, following order was passed:

“1. Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.79 dated 03.06.2023 registered under Sections 363-366 IPC at Police Station Division No.2, District Pathankot.

2. Status report by way of affidavit of Lakhwinder Singh, PPS, Deputy Superintendent of Police, Sub Division City, District Pathankot on behalf of the respondent-State has been filed and the same is taken on record.

3. Learned counsel for the petitioner contends that the FIR has been registered on the allegations that the petitioner was instrumental in the kidnapping of daughter of the complainant for the purpose of solemnizing her marriage with his nephew, co-accused, namely, Arjun. The age of the victim is stated to be 16 years. In fact, the petitioner had no concern in the entire matter. The nephew of the petitioner is in custody. Furthermore, the victim has been recovered and even, statement under Section 164 Cr.P.C, she has not uttered any incriminating word against the petitioner.

4. On instructions from ASI Naresh Kumar, learned State counsel submits that the victim was recovered while she was in the company of the coaccused, Arjun. However, it has not been disputed that the victim has not attributed any allegation against the petitioner in her statement recorded under Section 164 Cr.P.C.

5. It is significant to note that the victim has been

recovered and in her statement under Section 164 Cr.P.C, she has not uttered any word to indicate that the petitioner had exercised any pressure, threat, influence upon her or allured her to accompany him.

6. Adjourned to 22.09.2023.

7. Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C. ”

2. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation.

3. Learned State counsel, on instructions from ASI Narinder Singh, has submitted that the petitioner has joined the investigation and his custodial interrogation is not required.

4. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 26.07.2023 is made absolute.

22.09.2023

Janki

**(VIVEK PURI)
JUDGE**

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