

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M No.9887 of 2024
Date of decision: 03.04.2024

DHARAM PREET SINGH Petitioner
Versus
STATE OF PUNJAB Respondent

CORAM: HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Ankur Mehta, Advocate for
Mr. A.S. Manaise, Advocate for the petitioner.

Mr. Satjot Singh, A.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. The present petition has been filed under Section 438 of Cr.P.C.
seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
16	07.02.2024	Sadar Gurdaspur, District Gurdaspur	363, 354, 511 and 34 of IPC

2. The aforesaid FIR has been lodged against the petitioner on the basis of statement recorded by the complainant-‘H’ (name withheld) alleging therein that the present petitioner had been trying to kidnap his minor daughter-‘G’ (name withheld) from quite some time. On 07.12.2023, he along with four unknown persons entered inside his house and tried to take away his daughter as he wanted to forcibly perform marriage with her. He had also been proclaiming that he would commit suicide or kidnap her, if his marriage was not performed with her. After registration of the FIR, investigation proceedings were initiated and are going on.

3. The present petition filed by the petitioner on the ground and it is argued by his counsel that he has been falsely implicated in this case. He had neither made any attempt to sexually harass and outrage the modesty of the daughter of the complainant nor tried to take her away out of her lawful guardianship. False and general allegations have been levelled against him in this regard. His custodial interrogation is not required. He had joined the investigation. Therefore, it is urged that petition may be allowed.

3. It is pertinent to mention here that vide order dated 27.02.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

4. Learned State counsel has filed status report as per which, the petitioner has joined the investigation on 01.03.2024 and he is not required for custodial interrogation.

5. In view the nature of the allegations as levelled against the petitioner, I am of the considered opinion that his detention in custody would not serve any useful purpose. Therefore, keeping in view the facts and circumstance of the case and without commenting on the merits of the case, the present petition is allowed and the order dated 27.02.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

03.04.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

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