

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

206

CRM-M-26082-2023 (O&M)
Date of decision: 30.01.2024

Harsimran Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. B. S. Bhalla, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 74 dated 18.04.2023, under Sections 363 and 366-A of IPC at Police Station Gate Hakima, District Police Commissionerate Amritsar.
2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the statement of complainant 'K' (*name withheld*) alleging therein that her eldest daughter 'M' (*name withheld*), who was illiterate and aged about 15 years, used to do domestic work. On 09.01.2023, his daughter went to market at about 09:30 AM and did not return. The complainant came to know that her minor daughter had been taken away by petitioner Harsimran Singh. The complainant tried to search them but could not trace out. However, with the intervention of the local people, he brought his daughter back from the custody of the petitioner on 12.01.2023 but the latter was again trying to allure

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his daughter. He prayed for taking action against the petitioner. After registration of the FIR, the investigation proceedings were initiated. The petitioner, apprehending his arrest, moved an application for grant of anticipatory bail before the Additional Sessions Judge, Amritsar but the same was dismissed, vide order dated 29.04.2023. Hence, the petitioner has approached this Court by way of filing the present petition seeking concession of anticipatory bail.

3. Vide order dated 22.05.2023, passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

4. Learned State counsel, on instructions from the Investigating Officer, states that the petitioner has joined the investigation and he is not required for custodial interrogation.

5. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 22.05.2023, 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. The petitioner shall not influence/intimidate or try to meet the victim or complainant; shall not visit their house or try to influence any other witness of the case. This order shall also be subject to the following conditions:-

(i) The petitioner shall cooperate with the investigation and shall appear before the Investigating Officer as and when required.

(ii) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.

(iii) He shall not commit any similar offence while on bail.

6. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

30.01.2024

(MANISHA BATRA)
JUDGE

Waseem Ansari

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No