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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-26981-2024
DATE OF DECISION: 27.05.2024**

**SALINDER SINGH @ SHALINDER SINGH AND ANR
...PETITIONERS**

Versus

STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. PKS Phoolka, Advocate for the petitioner(s).
Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 438 of Cr.P.C., for grant of anticipatory bail in case FIR No.006 dated 25.03.2024 registered for offences punishable under Sections 406/420/120-B IPC at Police Station NRI, District Bathinda.

2. Learned counsel for the petitioners submits that a complaint has been moved by Lovepreet Singh stating that he got a proposal to marry Komalpreet Kaur Dhaliwal (daughter of petitioners) after sending her to Canada, as she has cleared the IELTS exam, thereafter, she will bring the complainant to Canada after becoming PR and will marry him. Both got engaged. Then complainant came to know that Komalpreet Kaur Dhaliwal has come to India and is performing marriage with someone else. On the basis of which, the complaint has been filed. There is no incriminating material whatsoever against the petitioners.

3. Notice of motion.



4. On the asking of Court, learned State Counsel appearing on advance notice, accepts notice on behalf of respondent-State and on instructions from ASI Gurjant Singh opposes the prayer for grant of bail but could not produce any incriminating evidence against the petitioners. He is not in a position to controvert the submissions made by counsel for the petitioners and therefore, submits that custodial interrogation of the petitioners is not required since nothing is to be recovered from the petitioners. It seems to be a distrust in a relationship qua which the parties have their other remedial measures.

5. After having heard learned counsel for the parties and specific stand of learned State Counsel, this Court is of the view that Sections 406/420/120-B IPC have not been made out, therefore, finds no reason to deny the petitioners the concession of bail if the petitioners have bona fide intentions and are willing to join the investigation and cooperate for furtherance of the same, so the final report can be submitted by the Investigating Agency in time.

6. Hence, in view of the admitted set of circumstances before this Court, the petitioners are directed to be released on anticipatory bail subject to their joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.



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7. However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

8. The petition in the aforesaid terms stands disposed off.

(SANDEEP MOUDGIL)
JUDGE

27.05.2024
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>