

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

**CRM-M No. 14002 of 2015 (O&M)
Date of decision: 30.06.2015.**

Gurpal Singh Petitioner.

Versus

State of Punjab Respondent.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. L.M. Gulati, Advocate, for the petitioner.

Mr. K.S. Pannu, DAG, Punjab, for the respondent.

NAVITA SINGH, J. (ORAL)

Notice of motion.

State counsel, who is present in Court, accepts notice on behalf of the respondent.

Though the offences against the petitioner, as has been alleged, are serious in nature including rape, but the fact of the matter is that the petitioner was on duty on the relevant dates as per the certificate produced by him on record from which it can be prima facie gathered that he was not present at the place of occurrence.

Also despite he being on duty, his warrant of arrest was not executed and he himself was not in the know of the case pending against him.

The main accused Shakti Singh already stands acquitted vide order dated 20.08.2014 passed by Additional Sessions Judge, Amritsar.

Both the alleged victims, i.e. one daughter of Dalbir Singh and

the other daughter of Jangir Singh, did not support the case of the prosecution.

In view of the above, without commenting on the merits of the case in any manner whatsoever, the request of the petitioner for anticipatory bail is allowed, subject to compliance of the conditions as contained under Section 438 of the Code of Criminal Procedure.

Disposed of accordingly.

(NAVITA SINGH)
JUDGE

30.06.2015
Ramesh