

CRM-M-26340-2015 (O&M)

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

**CRM-M-26340-2015 (O&M).
Decided on: October 6, 2015.**

Pritpal Singh @ Honey

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.Vishwajit Bedi, Advocate,
for the petitioner.**

Mr.Gazi Mohammad, DAG., Punjab.

**Mr.Deepak Gupta, Advocate,
for the complainant.**

M.M.S. BEDI, J. (ORAL)

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Baljinder Kaur who happens to be sister-in-law of the petitioner. She has alleged that she was assaulted on 14.9.2014 by the petitioner. There are allegations levelled against the petitioner that he had outraged her modesty by touching her.

The petitioner is also attributed injury on the person of the complainant as well as her son Yashdeep Singh.

A perusal of Annexure P4 indicates that the complainant had filed a suit claiming her right as a co-sharer in

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property mentioned in the plaint. The said suit has been dismissed vide judgments Annexures P2 & P3. Another civil suit between the complainant and the petitioner is pending. A copy of the plaint has been placed on record as Annexure P4.

Mr. Deepak Gupta, Advocate, has intervened on behalf of the complainant to oppose the application for bail contending that the petitioner on earlier occasions also had attacked the complainant.

I have heard the learned counsel for the petitioner, counsel for the complainant as well as the State counsel. There appears to be a dispute and litigation regarding family property as is apparent from the copies of civil suits placed on record. It is not a case of any grievous injury and there is litigation pending between the parties. The petitioner has joined investigation and it does not appear to be a case of custodial interrogation.

The petition is allowed. It is ordered that in case of arrest of the petitioner, he will be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the arresting officer subject to the following conditions: -

- (i) That the petitioner will join investigation as and when required;
- (ii) That the petitioner will not tamper with the evidence or hamper investigation, in any manner; and
- (iii) That the petitioner will not commit the similar offence of which he is accused of during pendency of the trial.

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In case of violation of any of the conditions, it will be open to the complainant or prosecution to approach this Court for cancellation of bail.

**(M.M.S.BEDI)
JUDGE**

**October 6, 2015.
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