

CRM-M-43767-2016

Date of Decision : 16.12.2016

Hardeep Singh and another

.....Petitioners

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Arihant Jain, Advocate
for the petitioners.

Ms. Harpreet Kaur Athwal, DAG, Haryana.

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

As per the instructions of ASI Labh Singh, it has been informed that petitioners have joined investigation.

With the assistance of learned State counsel and ASI Labh Singh, I have gone through the police file which indicates that FIR had been registered by petitioner No. 1 - Hardeep Singh against son of the complainant, Amandeep Singh on the allegation that his wife has been sexually assaulted by Amandeep Singh. The contents of the said FIR were found to be incorrect on investigation.

The father of Amandeep Singh i.e. Baljinder Singh has lodged the present FIR on the allegation that petitioners are habitual in blackmailing people by levelling false allegations of committing rape. Conduct of petitioner No. 2 having indulged in acts of extortion, on the basis of threat to involve in rape case, has been brought to the notice of this Court.

Besides this, the FIR registered at the instance of Hardeep

Singh, petitioner No. 1 has also now been finally cancelled on the basis of the approval of the senior police officers.

Taking into consideration the above said circumstances, the allegations in the FIR appear to be debatable. Petitioners have joined investigation. It is not a case of custodial interrogation on the basis of the investigation which has been conducted till date.

The petition is allowed. Interim order dated 07.12.2016 is hereby made absolute. It is ordered that in case of arrest of petitioners, they will be released on bail to the satisfaction of the arresting officer subject to condition that petitioners will not indulge in any act of extortion. In case of any such eventuality, this order will be deemed to be cancelled entitling the investigating agency to arrest the petitioners.

(M.M.S. BEDI)
JUDGE

16.12.2016
Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No