

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Crl. Misc. No. M-20788 of 2017

Date of Decision : September 14, 2017

Janak Singh Petitioner

Verus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

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Present: Mr. H.S.Deol, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Bhanu Pratap Singh, Advocate
for the complainant.

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LISA GILL, J. (Oral)

The petitioner seeks the concession of anticipatory bail in FIR No. 33 dated 22.03.2017 under Section 354-A IPC, later on amended to Section 354 IPC vide DDR No. 31 dated 17.05.2017, registered at Police Station Dasuya, District Hoshiarpur.

The contentions on behalf of the petitioner at the time of issuance of notice of motion read as under:-

It is submitted that FIR No. 33 dated 22.03.2017 was initially registered under Section 354-A of the IPC. The petitioner was afforded bail. After completion of investigation, when the final report under Section 173 Cr.P.C was sent to the Government Pleader for submission, it was returned with the observation

that offence under Section 354 of the IPC is made out instead of offence under Section 354-A of the IPC. Accordingly, offence punishable under Section 354 was inserted on 17.05.2017.”

Learned counsel submits that the petitioner is the father-in-law of the complainant. He has been falsely implicated in this case because of his relationship with the husband of the complainant. It is further submitted that the petitioner has since joined investigation. He is ready and willing to face trial and shall not abuse the concession of anticipatory bail in any manner if granted to him. Therefore, this petition be allowed.

Learned counsel for the State, on instructions from ASI Bhupinder Singh, informs that the petitioner has indeed joined investigation pursuant to interim orders passed by this Court and his custodial interrogation is not required. No recovery is to be effected from him. It is verified that he is not involved in any other case. There is no allegation that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the learned trial Court, if released on bail.

Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits of the case, it is considered just and expedient to allow this petition. Consequently, order dated 24.07.2017 is made absolute.

14.09.2017
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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No