

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

**Crl. Misc. No.M-21834 of 2017
Date of Decision: June 20, 2017**

Charanjit Singh @ Babu

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Bhanu Pratap Singh, Advocate
for the petitioner (s)..

Mr. Anil Sharma, Addl. A.G. Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.76 dated 23.5.2016 registered for the offences punishable under Sections 376/511 of IPC, at Police Station Dasuya, District Hoshiarpur.

Heard.

As per allegations in the FIR, on 12.5.2016, the petitioner, who was under the influence of liquor, entered the house of complainant and tied her hands. He also bolted the room from inside and tried to commit rape on her, but in the meanwhile grand son of complainant came and opened the door of the room.

The matter was reported to the police on 23.5.2016 i.e. 11 days after the occurrence. It has been mentioned in the FIR that the matter was pending before the *Panchayat* for compromise which resulted in delay in reporting the matter to the police.

The allegations levelled by the complainant and delay in reporting the matter to police are subject to scrutiny by the police during investigation for which custody of petitioner may not be required.

Without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to surrender before the police and join investigation within a week. In the event of his arrest being required, he shall be released on interim bail till the presentation of challan, on his furnishing bonds to the satisfaction of Arresting Officer, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

June 20, 2017
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***