

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

1. Criminal Misc. No.M- 28129 of 2017(O&M)
Date of Decision: December 4 , 2017.

Jasvir Singh @ Veeru PETITIONER(s)
Versus
State of Punjab RESPONDENT (s)

2. Criminal Misc. No. M- 39623 of 2017(O&M).

Money Singh @ Manpreet Singh PETITIONER(s)
Versus
State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. PKS Phoolka, Advocate
for the petitioner (in CRM No.M-28129 of 2017)
Mr. Divyadeep Walia, Advocate
for the petitioner (in CRM No.M-39323 of 2017)

Mr. Rahul Rathore, DAG, Punjab.

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?

LISA GILL, J.

This order shall dispose of Crl.Misc. No.M-28129 of 2017 (Jasvir Singh @ Veeru @ Seera v. State of Punjab) and Crl.Misc. No.39623 of 2017 (Money Singh @ Manpreet Singh v. State of Punjab). Facts for the sake of

convenience are being extracted from CRM No.M-28129 of 2017.

Prayer in both these petitions is for grant of anticipatory bail to the petitioners in FIR No.63 dated 09.05.2017, under Sections 376D/511/342/120B/201 IPC registered at Police Station Phul, District Bathinda.

In respect to petitioner – Jasvir Singh @ Veeru @ Seera, it is submitted that he has been falsely implicated in this case being a distant relative of co-accused Bhapo. The co-accused Bhapo is the maternal aunt (Massi) of the complainant. There is a dispute over some amount of money between the complainant and the co-accused Bhapo. The complainant is a 43 year old married lady. It is further submitted that there is considerable delay in lodging of the FIR in question. The incident is alleged to have occurred at 3.00 p.m. on 08.05.2017 whereas the FIR was registered at 10.00 p.m. on 09.05.2017. Moreover, it is contended that there is no medical evidence on record to substantiate the allegations levelled by the complainant against petitioner – Jasvir Singh @ Veeru @ Seera. It is submitted that the petitioner, who is not involved in any other criminal case, has since joined investigation pursuant to order dated 03.08.2017. He undertakes to face the proceedings and not misuse the concession of anticipatory bail, if afforded to him.

In respect to the petitioner – Money Singh @ Manpreet Singh, it is submitted that he was not named in the FIR or even in the statement under Section 164 Cr.P.C. suffered by the complainant. He is sought to be inculpated on the basis of a supplementary statement suffered by the complainant on 02.08.2017 i.e., nearly three months after the registration of the FIR. The petitioner, it is submitted, has joined investigation pursuant to order dated 25.10.2017. He undertakes to face the proceedings and not misuse the

concession of anticipatory bail, if afforded to him.

Heard learned counsel for the Parties.

Learned counsel for the State, on instructions from ASI Surmukh Singh, verifies that the petitioners have joined investigation pursuant to interim orders passed by this Court. Their custodial interrogation is not required. No recovery is to be effected from the said petitioners. The petitioners, it is verified, are not involved in any other criminal case. Co-accused Bhapo, who was taken in custody, has been afforded the concession of bail pending trial.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, both the petitions are allowed. Consequently, order dated 03.08.2017 in CRM No.M-28129 of 2017 as well as order dated 25.10.2017 in CRM No.M-39623 of 2017 are made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petitions.

December 4, 2017.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No