

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

**Crl. Misc. No. M-33309 of 2017
Date of Decision : November 08, 2017**

Kulbeer SinghPetitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

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Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Padamkant Dwivedi, Advocate
for the complainant.

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LISA GILL, J. (Oral)

The petitioner seeks the concession of anticipatory bail in FIR
No. 34 dated 17.04.2017 under Sections 376, 506 IPC registered at Police
Station Valtaha, District Tarn Taran.

Contentions on behalf of the petitioner noted while issuing
notice of motion read as under:-

*“It is submitted that the petitioner has been falsely implicated
in this case. Reference is made to CRM No.M-19496 of 2017
(Annexure P3) moved by the alleged victim in this case against
her own husband and other family members. The victim has
taken a stand that she was pressurized into suffering a
statement against the petitioner.”*

The petitioner, it is submitted, has since joined investigation.

Therefore, this petition be allowed.

Learned counsel for the complainant re-affirms the averments as above.

Learned counsel for the State, on instructions from SI Joginder Singh, Police Station Valtoha, District Tarn Taran, verifies that the complainant in this case has indeed suffered a statement before the police authorities on 14.10.2017 to the effect that she was pressurized into making a statement against the petitioner at the instance of her husband and his family. It is further verified that the petitioner has joined investigation pursuant to interim orders passed by this Court and his custodial interrogation is not required. It is also verified that the petitioner is not reported to be involved in any other criminal case except the present and another FIR No. 62 dated 14.05.2017 under Sections 364, 365, 34 IPC registered at the instance of the complainant's husband. 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 08.09.2017 is made absolute.

None of the observations made here-in-above shall be construed to be a reflection on merits of the case and shall have no bearing on trial.

08.11.2017
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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No

