

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

CRM-11118-2018 in/and
CRM-M-702-2018 (O&M)
Date of Decision: July 18, 2018

Jaswant Singh

...Petitioner

Versus

Raghubir Singh and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ramneek Vasudeva, Advocate
for the petitioner.

Mr. V.G.Jauhar, Sr. DAG, Punjab

JAISHREE THAKUR, J. (Oral)

CRM-11118-2018

During the pendency of the instant petition, an application has been filed, which is marked as CRM-11118 of 2018, in which the petitioner has been directed to place on record complete copy of his passport while submitting that the petitioner had wrongly set up his case as to why he could not put in appearance before the trial Court. In the application it is alleged that the petitioner left India after his mother had died, whereas it is submitted that the allegations as raised in the complaint that the petitioner had left India after the death of his mother are patently false as he had gone abroad prior in time thereto.

It is on this account, counsel for the applicant submits that the petitioner is not entitled to concession of bail.

I have heard the learned counsel for the petitioner and taken note of the fact that the trial is underway and that co-accused Jasvir Singh has also appeared and surrendered before the trial Court in *CRM-M-44160-2017* which has been relied upon by the learned counsel for the petitioner. Since the purpose of summoning an accused is to face trial, the purpose has been served and the petitioner herein has submitted his bail bonds and is facing trial.

In this background, this Court does not feel the necessity of passing any orders on the application so filed.

The application stands dismissed accordingly.

Main case

The instant petition has been filed praying for grant of pre-arrest bail to the petitioner who has been summoned to face trial under Sections 323, 354, 506, 120-B of the Indian Penal Code in a Criminal Complaint No.38 dated 16.04.2015 titled as Raghbir Singh vs. Jaswant Singh and Others.

Learned counsel for the petitioner contends that the petitioner had been summoned to face trial under the aforesaid Sections. It was argued that there was a litigation pending between the parties and in the complaint that had been filed there is a clear improvement in the complaint case set out by the complainant stating that the petitioner herein alongwith others had tried to outrage the modesty of the complainant which fact is not reflected in the statement (Annexure 3) made before the police. The petitioner was

directed to appear and surrender before the trial Court within a period of 07 days and face trial. Pursuant to the said order, the instant petition was also directed to be connected with CRM-M-44160 of 2017.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court has joined proceedings.

In view of the facts that the petitioner has joined the proceedings and is facing trial, therefore, without commenting on the merits of the case, the petition is allowed and order dated 11.01.2018 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

July 18, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No