

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-17660-2019 (O&M)

Date of Decision:- 16.9.2019

Darshan Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Preetwinder Singh Dhaliwal, Advocate, for the petitioners.

Ms. Rashmi Attri, AAG, Punjab,
assisted by ASI Daya Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of FIR No. 61, dated 25.12.2018, registered at Police Station Sehna, District Barnala, under Sections 457, 354, 506, 34 IPC.
2. The FIR was registered at the instance of Veerpal Kaur wherein it has been alleged that her husband has gone abroad and that she was residing in the village with her son. It is alleged that on 19.12.2018, somebody knocked at the main gate and when she went out and

inquired as to who was knocking, the said persons disclosed that they are Darshan Singh and Amandeep Singh and stated that somebody had entered into house of the complainant and forcibly entered the complainant's house. It is alleged that while Darshan Singh conducted the search of the house, the other person namely Amandeep Singh attempted to outrage her modesty and hugged her.

3. Learned counsel for the petitioners has submitted that petitioners have been falsely implicated in the present case and in fact the complainant herself in her complaint dated 21.12.2018 (Annexure P-1) did not state anything regarding the alleged outraging of her modesty. Learned counsel has further referred to an affidavit of Ujagar Singh (Annexure P-4) who is none else but the complainant's father-in-law, who has categorically stated that in fact the complainant is maintaining some illicit relations with somebody and the neighbours had been objecting to the same and that the petitioners had been falsely implicated.
4. Opposing the petition, learned State counsel has submitted that since the petitioners are specifically named in the FIR, no case for grant of anticipatory bail is made out. It has however, been informed that the petitioners have since joined investigation.
5. Without commenting anything as regards the veracity of allegations and while bearing in mind the fact that the petitioners have already joined investigation, this Court is of the opinion that the present case is not such which would warrant custodial interrogation. The petition, as such, is accepted and interim directions issued vide order

dated 22.4.2019 are made absolute subject to the condition that the petitioners shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

6. The present petition stands accepted accordingly.

September 16, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No