

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

CRM-M-27360-2019

Date of decision:11.9.2019

SUMMERJEET SINGH

....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.71 dated 5.6.2019 under Sections 354, 506 IPC, Police Station Mehrban, District Ludhiana.
2. The FIR was lodged at the instance of prosecutrix wherein it has been alleged that on 15.5.2019 when she went to her school along with her mother to collect certificates and while they were waiting for the Principal, she went to meet her friends in the school. It is alleged that while she was going to the second floor then Summerjeet Singh-petitioner met her in the stairs and who told her to take admission in Giandeep School and threatened that in case she does not take admission in the said school, he will keep on following her and will molest her. The prosecutrix being scared went upto third floor of the school wherein she

slipped and fell down from the third floor.

3. Learned counsel for the petitioner has submitted that even as per the FIR it is not the case that the petitioner had pushed the prosecutrix in any manner and that the only allegation against him is that he had threatened the prosecutrix to take admission in a particular school. Learned counsel has further submitted that pursuant to the interim directions dated 26.6.2019, the petitioner had taken admission in a school other than from the school of prosecutrix and has also furnished an affidavit to this effect before the Investigating Officer.
4. Learned State counsel upon instructions from SI Devinder Singh has endorsed the fact that aforesaid affidavit has been furnished by the petitioner. It has also been submitted that the petitioner is appearing before the Investigating Officer and is no longer required for further investigation.
5. Having regard to the facts and circumstances of the case and bearing in mind the nature of allegations and the fact that the petitioner had taken admission in a school other than the school of prosecutrix and has joined investigation, the present case is not such which would warrant custodial interrogation. Accordingly the petition is accepted and the interim directions issued vide order dated 26.06.2019 by this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

11.9.2019
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No