

CRM-M-28802-2019

Date of Decision : 05.09.2019

Ruldu Ram

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Manish Kumar Singla, Advocate
for the petitioner.Ms. Sakshi Bakshi, Asstt.A.G., Punjab
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

This order shall dispose off first anticipatory bail application filed by petitioner-Ruldu Ram under Section 438 Cr.P.C in a case bearing FIR No.59 dated 15.06.2019 filed under Sections 376/417 of the Indian Penal Code registered at Police Station Bareta, District Mansa.

The allegations against the accused/petitioner have been levelled by the complainant, who is a married lady, aged around

more than 40 years with grown up kids. In her complaint, the complainant alleges that she along with her husband and kids were residing as a tenant in the house of the petitioner and the latter, on the pretext allowing them to reside in the house and seeking assistance in household chores had been carrying on illicit relations with her and defiling her and subsequently, started blackmailing the prosecutrix, leading to the registration of the present case.

Learned counsel for the petitioner *inter alia* contends that it is a pure case of landlord-tenant dispute and the family of the complainant has failed to pay the electricity charges and as a pressure tactics, false case has been got registered and there is no medical evidence to support the present allegations.

The learned State counsel, on instructions from ASI Amrik Singh, Police Station Bareta, District Mansa, has stoutly opposed the grant of bail in view of the heinousness of the offences and seriousness of the allegations.

Going through the submissions as is there on the records, it is after 11 years of the alleged occurrence of defilement, the present case has come about and in the absence of medical evidence, and admitted stance of the complainant being in relationship undermines the very sanctity of the allegations. Besides, the fact that admittedly, the parties are in a relationship of landlord and tenant as well.

In light of the same , it would be travesty of justice by sending the petitioner behind the bars. Culpability, if any, shall be

determined at the trial.

In view of the aforesaid, the present petition is allowed. Petitioner would appear before the Investigating Officer within 15 days from today. In the event of arrest, the petitioner shall be released on interim bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off.

05.09.2019

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No