

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

CRM-M-29352-2019 (O&M)
Date of Decision:-30.9.2019

Sukhraj Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikas Garg, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab,
assisted by ASI Sukhwinder Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.127 dated 20.6.2019 at Police Station Phase-I, S.A.S. Nagar, Mohali, District Mohali under Sections 354, 379 and 506 of Indian Penal Code, 1860.
2. The FIR was lodged at the instance of Shaina, wherein it has been alleged that she is running a company by the name of 'XOR Solution Company' and that Sukhraj Singh, who had earlier been working for the company, left the company in April 2019 without informing her and joined another company after stealing data from her company. It is further alleged that on 20.5.2019, an amount of ₹5,600/- had been given to the petitioner and later on 24.5.2019 he came to the complainant's company and misbehaved with her and

quarreled with her and stole an amount of ₹1,800/- from the drawer and also threatened that he would ensure that the complainant's company is shut down.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case mainly on account of the fact that he had left the complainant's company and had joined some other company. It has further been submitted that infact even perusal of the FIR does not disclose any offence under Section 354 IPC.
4. Opposing the petition, the learned State counsel has submitted that the complainant in her supplementary statement recorded on the same day had specifically stated that on 24.5.2019, when the petitioner had visited the complainant's company, he had also molested the complainant. It has, however, been informed that the petitioner has since joined investigation.
5. Having regard to the facts and circumstances of the case and without commenting anything on merits of the case, in my opinion, the present case is not such, which would warrant custodial interrogation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 12.7.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation 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.

30.9.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No