

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

CRM-M-47490-2019 (O&M)
Date of Decision:-13.11.2019

Sukhdeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepak Aggarwal, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab,
assisted by SI Baldev Singh.

Mr. Madan Lal Saini, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.312 dated 27.9.2019 at Police Station Talwandi Sabo, District Bathinda under Sections 354-A, 341, 506 and 323 of Indian Penal Code, wherein offence under Section 3(W) of SC/ST Act, 1989 was added later on.
2. The FIR was lodged at the instance of Rimpay Kaur, wherein it has been alleged that the petitioner Sukhdeep Singh, who belongs to the same village, had been harassing her since long and used to utter objectionable words. It is alleged that although the complainant objected to the same but the petitioner did not desist from harassing her and even used to abuse her during night on

telephone. It is further alleged that she disclosed about the same to her brother Bitu Singh, who is a Panch, and on one day he followed the complainant and even at that time Sukhdeep Singh troubled her. Later the members of the family of the complainant lodged a complaint with the family of the petitioner. It is alleged that on 5.7.2019, the accused alongwith his companion stopped the scooter of the complainant and caught hold of her arm and started dragging her towards fields while uttering objectionable words against her caste. When the complainant raised alarm, the said accused ran away from the spot while issuing threats. It is further alleged that on 13.9.2019 Sukhdeep Singh and Gurcharan Singh again way laid her and Sukhdeep Singh, who was carrying a handle of spade, gave a blow with the same on the left thigh and ear of the complainant and also on her right shoulder. It is alleged that Gurcharan Singh gave fist blows on the head of the complainant and threatened to commit rape upon her.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case. It has further been submitted that infact complainant's real sister is in love with the petitioner and wishes to solemnize marriage with the petitioner against the wishes of other members of her family, but she was being compelled by her family not to solemnize marriage with petitioner. It has been submitted that the complainant's real sister has also lodged an FIR against the complainant and others regarding the threats and regarding the beatings given to her. The learned counsel has submitted that the present FIR is an attempt to pressurize the petitioner to deter him from marrying complainant's sister.
4. Opposing the petition, the learned State counsel assisted by counsel for the complainant has submitted that since specific and categoric allegations have

been levelled in the FIR, no case for grant of bail is made out. The learned counsel for the complainant has further submitted that in the FIR lodged against the complainant she has already been granted interim bail by this Court. It has further been submitted that since serious allegations in the nature of 354 IPC and under provisions of SC/ST Act are there, no case for grant of bail is made out.

5. I have considered rival submissions addressed before this Court.
6. In view of the facts and circumstances of the case and also that the petitioner has been in custody since the last more than one month, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to take some time. The petition, as such, is accepted and it is ordered that the petitioner be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.
7. It is clarified that the aforesaid order shall enure offence under Section 354 IPC as well as the same is stated to have been added by the police.

13.11.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No