

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

CRM-M-48819 of 2019.

Decided on:- November 25, 2019.

Harnek Singh, Kukku.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Abhishek Sharma, Advocate
for the petitioner.

Mr. Saurav Khurana, D.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner during pendency of the trial of a case under Section 354-C IPC, which is added later on in the Challan presented in the case bearing FIR No.39 dated 17.03.2019 under Sections 376, 511 and 506 IPC registered at Police Station Goraya, District Jalandhar.

Learned counsel for the petitioner has argued that initially, the aforesaid FIR was registered under Sections 376, 511 and 506 IPC. However, after investigation, Challan was presented under Section 354-C IPC as well. The petitioner was already granted bail by this Court vide order dated 30.10.2019 passed in **CRM-M-45157 of 2019** titled as **Harnek Singh, Kukku Versus State of Punjab** and in that petition, the offence under Section 354-C

was not mentioned as the petitioner was not in the knowledge of the added offence.

Learned State counsel has not disputed the aforesaid fact.

Considering the fact that the petitioner was already admitted on bail by this Court and the offence under Section 354-C IPC was added later on, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

November 25, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No