

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

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**CRM-M No.12757 of 2020**  
**DATE OF DECISION : 3<sup>rd</sup> JUNE, 2020**

**Gurwinder Singh**

**.... Petitioner**

**Versus**

**State of Punjab**

**.... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

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**In virtual Court**

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Present: Mr. Vikas Bali, Advocate for the petitioner.

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**RAJBIR SEHRAWAT, J. (Oral)**

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.13 dated 07.02.2020 registered under Sections 376, 323, 201 & 506 IPC at Police Station Meherban, District Ludhiana.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted and created for mala fide reasons. There has absolutely been no rape, as alleged by the prosecution in the case. In fact, the prosecutrix is a married woman of 31 years of age, whereas the petitioner is only 29 years of age. It is further submitted that the main allegation of the prosecution has been that the petitioner clicked some obscene photographs of the prosecutrix so as to blackmail her, however, the prosecution has not been able to collect any evidence in this regard. No such photographs have been recovered by the police. It is also submitted that the prosecutrix has been examined before the court and she has not fully supported the case of the prosecution. The

petitioner is not required for any investigation purposes. Hence, no purpose will be served by keeping him in continuous custody.

Notice of motion.

Mr. H. S. Sullar, DAG Punjab, accepts notice on behalf of the State of Punjab.

Learned State counsel, on instructions from ASI Jaswinder Singh, submits that the prosecution has levelled specific allegations against the petitioner. The challan has already been filed. However, it is not disputed that the prosecutrix made a statement that she wanted to finish everything and the petitioner should not interfere in her personal life.

In response to this, the counsel for the petitioner has submitted that the petitioner undertakes not to interfere in the personal life of the prosecutrix, in any manner, whatsoever.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

**3<sup>rd</sup> June, 2020**  
'raj'

**(RAJBIR SEHRAWAT)**  
**JUDGE**

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|-----------------------------------|------------|-----------|
| <i>Whether speaking/reasoned:</i> | <i>Yes</i> | <i>No</i> |
| <i>Whether Reportable:</i>        | <i>Yes</i> | <i>No</i> |