

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-13433 of 2020

Date of Decision: 17.07.2020

Shamsher Singh alias Samma

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal

Present: Mr. Umesh Aggarwal, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, Assistant Advocate
General, Punjab for the respondent.

Anil Kshetarpal, J.

On 11.06.2020, the following order was passed by this Court:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.43 dated 23.03.2020 registered under Section 506 of the Indian Penal Code and Section 10 of the Protection of Children From Sexual Offences Act, 2012 and Sections 8 and 17 of the Protection of Children From Sexual Offences Act, 2012 added later on, at Police Station Jandiala, Amritsar Rural.

In a nutshell, the case of the prosecution is that the petitioner had entered the house of the first informant and molested her young daughter aged about 16 years.

Learned counsel for the petitioner contends that the word used in FIR is “chedkhani”. He further submits that

daughter of the first informant has been sending audio messages to the sister-in-law of the petitioner. He submits that from bare perusal thereof, it is apparent that daughter of the first informant was a lovesick loon.

Notice of motion.

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 17.07.2020.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. “

Mr. Luvinder Singh, Assistant Advocate General, Punjab, on instructions from Sub Inspector Simranjeet Kaur, has submitted that the petitioner has joined investigation, co-operated and is not required for further custodial interrogation.

Keeping in view the aforesaid facts, interim bail granted to the petitioner on 11.06.2020 is made absolute.

Disposed of.

(Anil Kshetarpal)
Judge

July 17, 2020
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No