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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.15147 of 2020

Date of Decision: 30.07.2020

HARDEEP SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Mohit Sadana, Advocate
for the petitioner.

Mr. Rana Harjasdeep, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.46 dated 22.02.2020 registered under Section 376(2) (n) IPC at Police Station City Sunam District Sangrur.

On 15.06.2020, following order was passed by this Court:-

“This matter is being taken up for hearing through video conference/WhatsApp due to the pandemic COVID-19.

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 46 dated 22.2.2020 under

Section 376 (2) (n) IPC Police Station City Sunam.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case. He submits that his FIR has been registered by the complainant to pressurize the petitioner and his family members. He further submits that she has concocted a false story against the petitioner as he refused to perform the marriage with her. There is no medical evidence as to any sexual assault and the matter is not reported to the Police before. He further submits that he is working in Indian Army and the prosecution is yet to prove the his guilt.

Issue notice of motion.

Since advance copy of the petition stands already served, Mr. Sandeep Vermani, Addl. AG, Punjab, accepts notice on behalf of the respondent-State and opposed the application.

List on 30.7.2020.

Without going into that issue which is a matter of investigation, this Court upon hearing learned counsel for the petitioner is of the view that in this case anticipatory bail would be just and proper and will serve ends of justice as an entire arrangement pending investigation etc. Needless to add that the petitioner would join the investigation as and when required and would abide by the conditions laid down in Section 438 (2) of the Cr.P.C. to the satisfaction of the concerned investigating officer.”

Learned counsel for the petitioner submitted that in

compliance of the aforesaid order, the petitioner has joined the investigation.

Learned State counsel on instructions from SI Anita admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

In view of observations made in the order dated 15.06.2020, it would be just and appropriate to confirm the interim bail. Consequently, the interim order dated 15.06.2020 is made absolute. Petitioner shall keep on joining the investigation as and when directed to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

July 30, 2020
Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No