

S.No.119

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

CRM-M-18311 of 2020 (O&M)

Date of Decision:13.07.2020

Gursewak Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Gurinder S. Lalli, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.0322 dated 23.06.2020 registered under Sections 354, 354-B, 323, 506 IPC at Police Station City Barnala, District Barnala.

It is contended by counsel for the petitioner that the case against the petitioner is a result of total misunderstanding. In fact, it was a matter between the complainant and her brother-in-law. Subsequently, even the complainant had sworn in an affidavit expressing no objection for cancellation of the case. Still further, it is submitted that even as per the allegations, there is no injury caused in the incident to any person. All the offences except offence under Section 354-B are bailable. The petitioner would join the investigation. There is no other case of any kind against the petitioner.

Notice of motion.

Mr. Randhir Singh Thind, DAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel, on instructions from SI Shubhpreet Kaur, submits that there are specific allegations against the petitioner qua outraging the modesty of the complainant. However, it is not disputed that there is no injury caused to anybody in this incident. It is also not disputed that there is no other case against the petitioner.

In view of the above submissions, however, without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that 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.

July 13, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No