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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19750-2020
Date of decision: 21.07.2020

Kulwinder Singh

.....Petitioner

V/s.

State of Punjab

.....Respondent

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Charanjit Singh Bakhshi, Advocate, for the petitioner.

Mr. Mehardeep Singh Dullat, Additional Advocate General,
Punjab.

Sanjay Kumar, J.

The petitioner is the accused in FIR No. 118 dated 25.06.2020 on the file of Police Station Shri Hargobindpur, Police District Batala, registered under Sections 376 and 506 IPC. By way of this petition, he seeks anticipatory bail under Section 438 Cr.P.C.

The petitioner claims that he went to United Arab Emirates in the year 2015 and was gainfully employed there. He filed documents in proof thereof. He however admits that he made five trips to India since then. The petitioner got engaged in 2019 and this led to the registration of the present FIR on 25.06.2020. The complainant, who is aged about 19 years, alleged that, since five years, she was induced into a physical relationship by the petitioner who lulled her into believing that he would marry her.

However, the complainant did not furnish any details of the commission of the offence, as projected by her. Significant to note, she would have been just 14 years of age at the initial stage. It is her case that the petitioner had physical relations with her a number of times but no details whatsoever were furnished in relation thereto.

Given the aforesaid facts, this Court is of the opinion that it would suffice at this stage, if the petitioner joins and cooperates with the investigation. As he is stationed abroad on a regular basis, he would have to remain in the country till the investigation is completed.

The petition is accordingly allowed. The petitioner shall forthwith join the investigation in FIR No. 118 dated 25.06.2020 on the file of Police Station Shri Hargobindpur, Police District Batala. Further, he shall deposit his original passport with the Investigating/Arresting Officer as per due procedure. In the event of his arrest in the said case, the petitioner shall be released on bail upon furnishing a personal bond for a sum of Rs. 20,000/- along with two sureties for a like sum each to the satisfaction of the Investigating/Arresting Officer. He shall also comply with the mandate of Section 438(2) Cr.P.C.

(SANJAY KUMAR)
JUDGE

21.07.2020

rakesh

whether speaking/non speaking : Yes/no

whether reportable/non reportable : Yes/no