

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

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**CRM-M-28036-2020(O&M)
Date of Order:06.10.2020**

Nauddeep Singh @ Naudhdeep Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Dheeraj Mahajan, Advocate,
for the petitioner.

Mr. Randhir S. Thind, DAG, Punjab.

ANIL KSHETARPAL, J(Oral)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

On 16.09.2020, the following order was passed:-

The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.252, dated 23.07.2020, registered under Sections 354-A, 324, 323 of the Indian Penal Code, at Police Station City Faridkot, District Faridkot.

In a nutshell, the case of the prosecution has been noticed by the learned Additional Sessions Judge, Faridkot, in para 7 of the order, which is extracted as under:- "7. Perusal of record reveals that complainant (name withheld) suffered a statement before the police that she is married at Barnala and is residing with her parents at village Sadhan Wala. She has been working on photo-state machine of Naudhdeep Singh, situated in Cabin No.12, New Court Complex, Faridkot, at the monthly salary of rs.3500/-, where she joined on 1.6.2020. Naudhdeep Singh used to make indecent activities with her and she used to object for the same. With effect from 17.7.2020, she stopped working at the shop of Naudhdeep Singh and settled the accounts with him and she was to receive Rs.136/- from him. Naudhdeep Singh used to harass her by sending

messages on her phone. On 22.7.2020, at about 11:30, on the call of Naudhdeep Singh, she went to his shop. At that time Ms.Deep and Darshana were also accompanying her. Naudhdeep Singh again settled the account with her, which was the same as was earlier. She demanded her photographs from Naudhdeep Singh, which were got enlarged by him, but he refused to give her photographs and pushed her. He started grappling with her. He took scissors from his shop and caused injuries on her both the elbows. She raised noise, on which Deep and Darshana also came inside the shop and rescued her from the clutches of accused. Naudhdeep Singh did not receive any injury and only his shirt was torn during grappling. Her friend Deep got admitted her in Medical Hospital, where she is under treatment. On the basis of said statement and on receipt of MLR, FIR was registered against the accused for offence under Sections 354-A,324,323 IPC. During investigation, Naudhdeep Singh also got recorded his statement vide rapat No.67 dated 22.7.2020, but on enquiry, version of accused was found to be false and rapat No.44 dated 27.7.2020 was recorded.”

Learned counsel for the petitioner contends that in fact it is the petitioner who has suffered injuries in the scuffle and has got registered a cross-case. He, while referring to the photographs from the CCTV footage, further, submits that the first informant alongwith another girl came and attacked the petitioner.

Notice of motion.

Mr. Saurav Khurana, DAG, Punjab, accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 06.10.2020.

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

Learned counsel appearing for the State, on instructions from ASI Karamjit Singh, has submitted that the petitioner has joined the investigation, cooperated and is not required for further custodial interrogation.

Keeping in view the aforesaid facts, the interim order dated 16.09.2020, passed by this Court, is made absolute.

Accordingly, the present petition is allowed.

October 06, 2020
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(ANIL KSHETARPAL)
JUDGE

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