

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

CRM-M-29679-2020
Date of decision: 25.09.2020

Bikramjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. J. K. Singla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 109 dated 18.07.2020, registered under Sections 354, 341, 323, 509, 506 and 34 of the IPC at Police Station Ghagga, District Patiala.

Learned counsel submits that complainant is the step mother of the petitioner. It is further submitted that on 15.07.2020, in a suit filed by co-accused Jarnail Singh, who is grandfather of the petitioner, the Civil Judge (Jr. Divn.), Samana has granted *ex-parte* injunction restraining the complainant's side from interfering and dispossessing the petitioner's side from the suit land and from rasing any construction or changing the nature of the suit land except in due course of law.

Learned counsel further submits that there is a dispute with regard to partition of a house as the complainant wanted to raise a wall in between the house, to which, co-accused Jarnail Singh was rasing objection.

Learned counsel further submits that the present FIR has been

registered as a counter-blast to the aforesaid injunction order three days after the filing of the suit and with the allegations that the petitioner has tried to molest the victim.

Learned counsel further submits that when L/SI Amandeep Kaur recorded the statement of complainant, she has raised doubt about the veracity of the same. Learned counsel refers to FIR, wherein it is reported by L/SI Amandeep Kaur that the statement of complainant seems to be doubtful and further investigation is necessary.

It is further submitted that no such incident has taken place, wherein the petitioner has caused any scratch on the breast of the complainant with his nails or gave any slap.

Learned counsel further refers to an order dated 31.07.2020, vide which petitioner and co-accused Jarnail Singh were granted concession of interim anticipatory bail by the Additional Sessions Judge, subsequent to which, petitioner had joined investigation and thereafter, the Investigating Officer informed that petitioner is no more required for any further investigation, however, the bail application of the petitioner was dismissed and the interim bail granted to Jarnail Singh was confirmed.

Learned State counsel could not dispute the factual position about filing of the suit as well as the allegations against the petitioner. It is also not disputed that petitioner is a step son of the complainant and there is a dispute between the two sides regarding partition of the property.

After hearing learned counsel for the parties, without commenting on the merits of the case, considering the aforesaid facts and circumstances of the case, the present petition is allowed and the petitioner

is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if required, by issuing a written notice in this regard.

25.09.2020
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>