

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-30608 of 2020 (O&M)

Date of decision : 28.10.2020

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Ranjeet Singh

.....Petitioner

vs.

State of Haryana

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Ashok Kumar Khubbar, Advocate
for the petitioner.

Mr. Tanuj Sharma, Assistant Advocate General,
Haryana.

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H. S. Madaan, J.

Case taken up through video conferencing.

Reply filed by the State, which be taken on record.

This petition under Section 438 Cr.P.C. for grant of pre-arrest bail has been filed by petitioner – Ranjeet Singh son of Neki Ram, aged about 43 years, resident of village Rattangarh, P.O. Nachron, Police Station Jathlana, District Yamuna Nagar, an accused in FIR No. 119 dated 3.9.2020, for offences under Sections

354, 506 IPC (Section 354-A IPC added later on), registered at Police Station Jathlana, District Yamuna Nagar.

Briefly stated, facts of the case, as per the prosecution story are that, complainant Kusum - wife of Balwant Singh, resident of village Rattangarh Majra, District Yamuna Nagar, had submitted a written complaint, addressed to the Superintendent of Police, Yamuna Nagar, against the present petitioner, contending that present petitioner – Ranjeet Singh, is her brother-in-law (Jeth in relation). Said Ranjeet Singh has been keeping an evil eye upon the complainant, in as much as teasing her with bad intention and stating that the complainant was always roaming around with others and he was having such photographs available in his mobile phone. According to the complainant she had refuted the allegations levelled by accused Ranjeet Singh and resisted his advances, but to no effect. Rather Ranjeet Singh threatened to kill her and her family members. On the basis of her complaint, formal FIR was registered. The investigation in the case started. The complainant got her statement recorded under Section 164 Cr.P.C. on 5.9.2020, wherein she stated that on 29.8.2020, while she was drawing water from tank, then the accused came and caught her hand, asking her to develop physical relations with him, threatening that otherwise he would kill her. FIR in this case was initially registered for offences under Sections 354, 506 IPC. However, after statement of complainant was recorded under Section 164 Cr.P.C., offence under Section 354-A IPC was added.

The petitioner, apprehending his arrest, in this case, had approached the Court of Sessions at Yamuna Nagar at Jagadhri, for grant of pre-arrest bail. However, his such application was dismissed vide order dated 23.9.2020. Feeling dissatisfied, the petitioner has knocked at the door of this Court craving for grant of anticipatory bail, which request is being opposed by the State counsel.

I have heard, learned counsel for the petitioner, learned State counsel, besides going through the record and I find that the instant petition is doomed for failure.

At the very outset, it may be stated that pre-arrest bail is a discretionary equitable relief, which is to be granted in exceptional cases and not in routine. It is meant to save the innocent persons from harassment and inconvenience and not to shield the criminals from custodial interrogation by the Investigating Agency. Here the petitioner is specifically named in the FIR and there are grave and serious allegations against him of trying to outrage the modesty of a woman who is his near relative. Instances of attempts by males to outrage the modesty of women and to cause sexual harassment to them, are required to be dealt with all the seriousness and firmness. The allegations against the petitioner are very grave and serious, which do not warrant grant of relief of pre-arrest bail to him. His custodial interrogation is necessary for complete and effective investigation and if the same is denied to the Investigating Agency, that shall certainly affect it adversely, which is uncalled for.

Thus finding no merit in the petition, the same stands dismissed.

However, nothing discussed above shall have any bearing on the merits of the case.

28.10.2020

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(H.S. Madaan)

Judge

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