

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

CRM-M-38169-2020

Date of decision:23.11.2020

Parkash Singh alias Pasa

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Jasvir Singh Dhaliwal, Advocate for the petitioner.

Mr. Balbir Singh Sewak, Addl. A.G., Punjab.

Mr. J.K. Singla, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No.149 dated 16.10.2020 registered under Sections 376 and 506 IPC, at Police Station Joga, District Mansa.

Learned counsel for the petitioner states that the complainant is the real sister-in-law (Bhabhi) of the petitioner and the petitioner has been implicated in the present case with a view to grabbing his share in the property left by his father. It is further submitted that the petitioner is a mentally retarded person and even as per FIR, no allegations of rape have been levelled against the petitioner and the main accused-Darshan Singh has already been arrested by the Police.

Learned State counsel, assisted by learned counsel for the complainant, while opposing the prayer for bail, states that in her

supplementary statement recorded under Section 161 Cr.P.C., the complainant has levelled specific allegations of rape against the petitioner along with co-accused-Darshan Singh. It is further submitted that the petitioner being a Member of Block Samiti, is a person of influence and if enlarged on bail, there is every possibility of his tampering with the evidence and winning over the witnesses.

I have heard learned counsel for the parties.

As noticed above, the complainant has specifically named the petitioner in her supplementary statement under Section 161 Cr.P.C. by levelling allegations of rape against the petitioner along with his brother Darshan Singh. The allegations are grave in nature and thus the custodial interrogation of the petitioner is necessary.

In view of the above, no case for grant of anticipatory bail is made out.

Dismissed.

23.11.2020

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(HARNARESH SINGH GILL)
JUDGE

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