

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

CRM-M-18646-2021

Date of Decision: 18.05.2021

Harinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Piyush Khanna, Advocate,
for the petitioner.
Mr. R.S. Khaira, AAG, Punjab.

HARINDER SINGH SIDHU, J

Prayer is for grant of anticipatory bail in case FIR No.117 dated 27.05.2020 under Sections 323, 354, 354-B, 452, 148 & 149 IPC registered at Police Station Mahilpur, District Hoshiarpur.

Based on the complaint lodged by Kulvir Kaur, FIR was registered with the allegations that on the night of 23.05.2020 at about 9.00 P.M., the complainant along with her sister Jasveer Kaur and mother Rano Devi heard sound of knocking at their main gate. When the complainant went to check, she found Harinder Singh accompanied by Rajinder Singh, Imanpreet Singh, Takdir Singh and Nikka standing there. They all armed with Vanje and baseball bats forcibly entered the house while hurling abuses. On being questioned, Harinder Singh attacked with his Vanja which hit on the left side of head of the complainant. Then Rajinder Singh gave fist blow in the stomach of the complainant. Harinder Singh and Imanpreet Singh are alleged to have dragged the complainant by her hairs. After the complainant was dragged out, Takdir Singh inflicted baseball bat blow, which hit on the left shoulder of the complainant while Imanpreet Singh caused Vanja blow on the right side of back of the complainant.

Meanwhile, Harinder Singh started pulling Breasts of the complainant. On noise being raised by the complainant, her mother came out with the neighbours having gathered there and the assailants fled the spot.

Learned counsel for the petitioner contends that the petitioner has falsely been roped in. Nothing is to be recovered from the petitioner and that co-accused of the petitioner have already been granted the concession of anticipatory bail.

Heard.

In the instant case, petitioner has been accused of serious allegations that he while forcibly entering the house dragged the complainant by her hairs. The act of pulling breast of a woman was an attempt to outrage the modesty of a woman and the same is capable of shocking the sense of decency of the woman. Such kind of indecent behaviour of the petitioner has not only violated the victim's integrity but leaves indelible marks on the very soul of the helpless female. Besides, the role of the petitioner cannot be said to be at par with the co-accused.

In my view, since the case is at the threshold and the investigations are underway, it will be practically scuttling the investigation in case the anticipatory bail is granted to the petitioner which will create hurdles in arriving at the truth.

In the facts and circumstances of the present case and perusing the allegations leveled against the petitioner, and considering the gravity of offence, this court is not inclined to grant anticipatory bail to the petitioner.

Dismissed.

May 18, 2021
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No

