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

**CRM-23869-2021 in/and
CRM-M-24540-2021
Date of Decision: August 06, 2021**

Manpreet Singh @ Mani

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Nippun Sharma, Advocate,
for the petitioner.

Mr. H.S. Sullar, D.A.G., Punjab
for the respondent-State.

Mr. Kulwant Singh, Advocate
for the complainant.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the
light of COVID-19 pandemic.

CRM-23869-2021

In consonance with the order dated 16.07.2021 passed by this
Court, through the present application, learned counsel for the petitioner
intends to place on record certified copy of statement of the prosecutrix
dated 11.11.2020. As such, the application is allowed and certified copy of
statement of the prosecutrix is taken on record.

CRM-M-24540-2021

The petitioner has filed this petition under Section 439 read
with Section 482 Cr.P.C. for seeking interim bail in case FIR No.0162 dated

01.08.2019 under Sections 376 and 506 IPC, Police Station Division No.7, Police Commissionerate, Ludhiana.

Heard on the bail petition.

The aforesaid FIR was registered at the instance of the prosecutrix. As per version of the prosecutrix, petitioner Manpreet Singh @ Mani had met her on 11.07.2019 at Dashmesh Dairy, Tajpur Road, Ludhiana. Accused-petitioner gave his mobile number to her. On 12.07.2019, prosecutrix had called Manpreet Singh @ Mani in connection with the job. On 22.07.2019, Manpreet Singh had taken prosecutrix on Activa. Even, brother of prosecutrix was also accompanying them. On the pretext of incomplete papers of Activa, petitioner dropped prosecutrix and her brother near their house and stated that police might apprehend them. Thereafter, on 23.07.2019, petitioner again took prosecutrix and her brother. He dropped brother of the prosecutrix near Shivpuri and had taken prosecutrix to Classic Hotel near bus stand. Petitioner had projected to the prosecutrix that interview shall be taken in room No.302 of the said hotel. When the prosecutrix refused to go inside the room, then petitioner dragged him from her arm and forcibly took her inside the room, bolted the door and committed rape upon her.

Now, it is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in the present case. In fact, he has made prayer for concession of interim bail for six weeks in consonance with the recommendations of the High Powered Committee, Punjab, dated 02.05.2020. Also, it is submitted that due to the prevailing Covid situation, the trial has not yet completed and the petitioner is in custody since

However, learned State counsel has resisted the claim for bail. He submits that as per the instructions of the High Powered Committee, no bail can be granted to any inmate under Section 376 IPC. In this behalf, reference has been made to the Minutes of the meeting dated 11.05.2021, which provides for the list of various offences, incorporated therein, wherein, no undertrial prisoner in custody, is entitled to be released on interim bail.

May it be so, that the petitioner is in custody since 01.08.2019, but however, at this stage, learned State counsel has apprised the Court that all the witnesses of the prosecution, have already been examined and now the case is fixed for recording of defence evidence. Moreover, in compliance with the order dated 16.07.2021, statement of the prosecutrix has been placed on record. The perusal of the same reveals that the prosecutrix has deposed in consonance with the prosecution version. However, suffice to consider the cross-examination of the said witness. At this stage, it shall not be appropriate to give detail of the same, as it may have impact on the final decision of the case. However, in view of the cross-examination of the prosecutrix, so conducted, it is too early to comment upon the falsity of the case, as projected by the petitioner.

In view of the grave accusations against the petitioner, no case is made out for grant of bail to the petitioner. Consequently, present petition stands dismissed.

(ARCHANA PURI)
JUDGE

August 06, 2021
Vgulati

Whether speaking/reasoned
Whether reportable

Yes
No