

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

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CRM-M-30166-2021

Date of Decision: 09.08.2021

Surinder Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Digvijay Nagpal, Advocate, for the petitioner.

Mr. Saurav Khurana, DAG, Punjab,
assisted by ASI Sukhraj Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.0099 dated 25.05.2021 at Police Station City Malout, District Sri Muktsar Sahib, under Sections 452/365/342/295/323/148/149 IPC.
2. The FIR in question was lodged at the instance of Sunny, wherein it is alleged that on 24.05.2021 at about 11.30 AM, a girl namely Priyanka came to their house and asked him why he was not talking to her to which he replied that he does not want to talk to her and asked her to go back to her house. It is alleged that in the meantime father of the girl, namely, Surinder Kumar (petitioner), uncles namely Kamal and Gulshan, grand-father Charandas, mother Sunita, grand-mother Sumitra, Krishna, Josam armed with stick and Mukesh came there and immediately upon their arrival,

they started beating the complainant on account of which he sustained multiple injuries all over his body. It is further alleged that after giving beatings, the accused forcibly took him to the house of Priyanka, where grand-father of Priyanka namely Charandass brought urine in a glass and forcibly poured the same in complainant's mouth. It is alleged that thereafter the accused took the complainant to a vacant plot adjacent to their house and again gave beatings. The petitioner is specifically alleged to have given kick blows on the waist of the complainant.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and in fact it is a case of cross-version where the complainant had attempted to molest his daughter on account of which a DDR for an offence under Section 354-B IPC was recorded against the complainant. It has, thus, been submitted that the instant FIR came to be lodged by the complainant in order to create his defence and that there is no truth in the same.
4. Opposing the petition, learned State counsel has submitted that the veracity of the allegations would be established from the fact that the complainant sustained as many as 14 injuries. It has, however, been informed that all the injuries were found to be simple in nature and that the challan already stands presented.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and while noticing that it is a case where a cross-version pertaining to an

offence under Section 354-B IPC also came to be lodged against the complainant and while also noticing that in the instant case investigation is complete and challan stands presented, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

09.08.2021

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**