

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

CRM-M-35136-2021 (O&M)

Date of Decision: 02.09.2021

SHINDER SINGH

.....Petitioner

V/s.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. Sahil Puri, Advocate, for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.206, dated 13.07.2021 lodged under Section 379-B, 342, 354, 354-A, 354-B, 506, 148 of the Indian Penal Code, 1860 registered at Police Station City Kapurthala, District Kapurthala, Punjab.

Learned counsel for the petitioner submits that the petitioner is innocent and has been implicated in the case in hand on the basis of suspicion and previous enmity. While inviting the attention of this Court to the contents of the FIR in question, learned counsel for the petitioner submits that most of the allegations were levelled against the co-accused; Baksho Pardhan and Sonu Nahar and the only role attributed to the petitioner is that when the complainant was at the office of both the aforementioned co-accused, he was just a mute spectator and standing there.

Learned counsel for the petitioner that in the circumstances, the petitioner be extended the concession of bail as he has been in custody since 13.07.2021.

Per contra, learned State counsel, while opposing the prayer and submissions made by the learned counsel for the petitioner, has invited the attention of this Court to the FIR in question. He submits that there are specific allegations levelled in the FIR in question that the petitioner alongwith co-accused physically assaulted the complainant and thereafter all the accused together after catching hold of her hair, dragged her to the house of co-accused Baksho Pardhan. Not only this, all the accused thereafter blackened the face of the complainant with soot and made her rub her nose on the floor and also tried to violate her modesty by disrobing her. It has been further submitted that a video too was prepared by the co-accused. He has further submitted that since the case is still under investigation, the petitioner be not extended the concession of bail.

Heard.

Prima facie, there are serious allegations leveled against the petitioner for which he does not deserve the concession of regular bail. In view thereof, the petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

September 2, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>