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

CRM-M No. 31746 of 2020
Date of Decision: 12.01.2021

Jagdeep Singh

-Petitioner

Vs

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Gopal Singh Nahel, Advocate,
for the petitioner.

Mr. Sarabjeet Singh Cheema, A.A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner submits that bare perusal of FIR would show that the petitioner has not taken part in the alleged occurrences dated 27.07.2019 and 02.08.2019, when the prosecutrix was taken by Gurpreet Singh @ Goldy and offence was committed in the room of motor constructed in the fields of the petitioner.

It was only on 07.10.2019, allegation was made that petitioner and Jagdeep Singh @ Jouli s/o Hargopal Singh stood guard and Gurpreet Singh committed bad act with the prosecutrix.

On raising alarm, all the three fled away from the spot.

Perusal of order dated 03.06.2020 passed by Additional Sessions Judge/Duty Officer, Sangrur would show that the petitioner has been considered to be the main offender who committed rape upon the prosecutrix on 27.07.2019 and 02.08.2019. According to learned counsel for the petitioner, this is on account of mis-reading of FIR. Jagdeep Singh @ Jauli son of Hargopal Singh was found to be innocent by the police and his name was placed in column No.2 of the report under Section 173 Cr.P.C.

Petitioner, if so, advised may approach the court of Additional Sessions Judge, Sangrur afresh. In the event of filing fresh bail petition before the Additional Sessions Judge, Sangrur, the same shall be decided in accordance with law without being influenced by earlier order dated 03.06.2020.

Disposed of.

12.01.2021
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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| 1. | Whether speaking/reasoned | : | Yes/No |
| 2. | Whether reportable | : | Yes/No |