

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(126)

CRM-M-40617-2021

Date of Decision: 28.09.2021

Karamjit Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. J.S. Dhaliwal, Advocate for the petitioner.

Mr. M.S. Nagra, A.A.G., Punjab.

RAJESH BHARDWAJ.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The present petition has been filed under Section 438 Cr.P.C seeking the benefit of anticipatory bail to the petitioner in case FIR No.46 dated 4.9.2021 under sections 376, 451, 506 I.P.C, registered at Police Station, Dhramgarh, District Sangrur.

Learned counsel for the petitioner vehemently contends that the petitioner was falsely implicated in the present FIR and no offence, as alleged, is made out against him. Counsel submits that the FIR in question has been got registered by the prosecutrix on the basis of the allegations that she was married with Sukhdeep Singh about 6 years ago and is blessed with a son. On 3.9.2021 at about 3 P.M she was sleeping in veranda of her house and her mother-in-law was sleeping outside the gate suddenly at that time Karamjit Singh i.e. the present petitioner covered her mouth and threatened her to kill. Thereafter, he forcibly committed rape on her and ran away from

the spot. Request was made to take legal action against the accused.

Learned counsel for the petitioner submits that petitioner has an impeccable record and he has never been involved in any such case. He further submits that the prosecutrix is a major and a married woman and thus the petitioner has been falsely implicated in this case.

I have heard learned counsel for the petitioner at length and have gone through the record carefully.

This is evident that the prosecutrix had categorically alleged that while she was asleep the petitioner approached her and overpowered her. As per the allegations, he closed her mouth and threatened to kill her in case she raises any hue and cry. Rape was committed on her and she was hit on the cot as well. The allegations are serious in nature and need to be investigated thoroughly.

In the facts and circumstances of the case, a thorough investigation in the case is required for unraveling the truth in the allegations for which the custodial interrogation of the petitioner would be required. The petition being devoid of any merit, is dismissed.

(RAJESH BHARDWAJ)
JUDGE

28.09.2021

lucky

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