

231.

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

CRM-M-42288-2021

Date of Decision: 14.10.2021

BALJIT SINGH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Yogesh Goel, Advocate,
for the petitioner.

Mr. M.S. Dullat, Additional Advocate General, Punjab.

JAISHREE THAKUR.J (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.86, dated 14.06.2021, registered under Sections 354/354-B/328 of IPC and Section 67 of the IT Act, 2000 at Police Station Shimlapuri, District Police Commissionerate, Ludhiana.

Counsel for the petitioner would contend that the petitioner has been falsely implicated in the said matter. The dispute actually arose when the father of the petitioner herein wanted to transfer land in the name of the petitioner which was not acceptable to the younger son, his brother who is married to the complainant and, therefore, these false allegations came

forth. It is contended that the incident of the petitioner entering the room at night and forcibly disrobing the complainant and taking her photographs from the phone of the husband is most improbable. It is argued that as on date, there is nothing recovered or unsubstantiated that the alleged nude photographs of the complainant had gone viral. It is contended that the matter stands investigated and his custody would no longer be required.

On the other hand, learned State counsel would oppose the grant of regular bail, however, is not in a position to dispute the fact that the matter stands investigated and the challan presented.

At this moment, the father of the petitioner is also present in the Court and on asking as to where the younger son and the complainant are residing lest the petitioner who would be released on regular bail is in a position to influence her testimony, this Court is informed that they are residing in her parental home and they are no longer joint in residence.

Taking all these factors into account and the fact that the investigation is complete and challan stands presented, the custody of the petitioner would no longer be required and trial in the case will take time to conclude, this Court deems it appropriate to release the petitioner on bail.

Accordingly, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal bond of a sum of ₹50,000/- with one surety of like amount to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression of opinion on merits of the case.

However, it is made clear that in case the petitioner herein tries to influence the complainant in any manner whatsoever, the bail would stand cancelled.

(JAISHREE THAKUR)
JUDGE

14.10.2021
sanjeev

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