

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

209

**CRM-M-54920-2020
Decided on : 01.09.2021**

Jaspal Singh and another

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. G.S. Verma, Advocate
for the petitioner(s).

Mr. Amit Mehta, Sr. DAG, Punjab
assisted by SI Puneet Kaur.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioners, in case FIR No. 205, dated 19.11.2019, under Sections 313, 376, 120-B of IPC, registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib (Punjab).

Learned counsel for the petitioners submits that false allegations were levelled against the petitioners in the FIR in question, wherein, the complainant had alleged that her husband had raped her under a well planned conspiracy hatched with his parents i.e. the petitioners. Learned counsel further submits that the offence under Section 376 of IPC was deleted during the investigation, as no substance was found in the allegations. Further submits that even the challan has been presented only under Sections 313 & 323 of IPC.

Learned counsel for the petitioners further submits that pursuant to order dated 20th December, 2019, passed by this Court, the petitioners have joined investigation.

Learned State counsel on instructions from SI Puneet Kaur, states

that the petitioners are no longer required for further interrogation. Learned State counsel has apprised the Court that the challan stands presented in the present case and it had also come during investigation that the complainant-wife, who was eight weeks pregnant had got her pregnancy terminated on her own.

In view of the above, the petition is allowed and interim order dated 20th December, 2019, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

September 01, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*