

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

201

CRM-M-4930-2021

Date of Decision: 26.04.2022

Sahil Sidhu @ Sherry

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Ms. Kanwal S. Walia, Advocate for the petitioner.

Mr. Harpreet S. Multani, AAG, Punjab.

Mr. Mohd. Yousaf, Advocate for the complainant.

ANOOP CHITKARA, J. (ORAL)

Learned counsel for the petitioner submits that the petitioner had joined the investigation and fully co-operated.

On instructions from ASI Mahender Singh, learned State counsel does not refute the statement made by learned counsel for the petitioner.

Learned counsel for the complainant has vehemently opposed the bail and submits that there are 72 stitches and 3 are by sharp edged weapon.

Given above, considering the stage of investigation, the present petition is allowed and the interim order dated 02.03.2021 is made absolute, subject to the following conditions:

- (i) Given the nature of allegations and the other circumstances peculiar to this case, the petitioner shall surrender all weapons, firearms, ammunition, if any, along with the arms license to the concerned authority within ten days from today and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the petitioner shall be entitled to renew and take it back in case of acquittal in this case.
- (ii) Till the completion of the trial, the petitioner shall not contact, call, text, message, remark, stare, stalk, make any gestures or express any unusual or inappropriate, verbal or otherwise objectionable behavior towards the victim and victim's family, either physically, or through phone call or any other social media, through any other mode, nor shall unnecessarily roam around the victim's home.

(iii) Given the nature of the allegations and the other circumstances peculiar to this case, the petitioner shall not enter the property, workplace, and the residence of the victim and shall also not enter within a radius of one kilometer from the victim’s home till the recording of the statements of all non-official and informal witnesses in the trial. This Court is imposing this condition to rule out any attempt by the accused to incapacitate, influence, or cause any discomfort to the victim. Reference be made to Vikram Singh v Central Bureau of Investigation, 2018 All SCR (CrI.) 458); and Aparna Bhatt v. State of Madhya Pradesh, 2021 SCC Online SC 230.

In case, petitioner fails to comply with the above conditions, State as well as complainant may file application for cancellation of bail.

(ANOOP CHITKARA)
JUDGE

26.04.2022
Jyoti-II

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