

CRM-M-4623-2022

Date of decision: 08.08.2022

SIMRANJIT SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. L.M.Gulati, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

VIVEK PURI, J. (ORAL)

Mr. Vaibhav Parashar, Advocate has put in appearance on behalf of the complainant and filed Vakalatnama, which is taken on record.

On 28.04.2022, the following order was passed:-

“CRM-15469-2022

This is an application for placing on record certified copies of Annexures P-4 and P-5. The same are allowed to be taken on record.

Registry is directed to tag the same at the appropriate place.

Disposed of.

Main case

Petitioner is seeking anticipatory bail in case bearing FIR No.04 dated 10.01.2022 under Section 376 PC, registered at Police Station Majitha, District Amritsar.

Briefly, the allegations as put forth in the FIR are to the effect that the petitioner had committed rape upon the prosecutrix in a deceitful manner after administering some toxic substance in the tea. The prosecutrix became pregnant and the petitioner pretended that he was having obscene videos and photographs.

Learned counsel for the petitioner contends that the prosecutrix is more than 18 years of age. She was in relationship with the petitioner. It was a consensual relationship between them. Even in the enquiry conducted by the Police, it has been

observed that the physical relations were with the consent of the prosecutrix. The allegations were also levelled against two other persons namely Rajesh Kumar and Avtar Singh but the same were not substantiated during the course of enquiry.

Adjourned to 08.08.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of interim directions, the petitioner has joined the investigation.

Learned State counsel has not assailed the aforesaid factual aspects and states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 28.04.2022, granting interim bail to the petitioner is made absolute.

The petition is allowed.

08.08.2022

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No