

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9358-2022
Date of Decision: 09.08.2022

HARNEK SINGH ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Mohit Kumar, Advocate for
Mr. Vikas Arora, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG Punjab.

* * *

VIVEK PURI, J. (ORAL)

On 12.05.2022, following order was passed:

“Reply by way of affidavit of Gurpreet Singh Bains, PPS, Deputy Superintendent of Police, Sub Division Morinda, District Rupnagar on behalf of the respondent-State has been filed and the same is taken on record.

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.130 dated 15.09.2021, registered under Sections 341/354/354-A/354-D/509 IPC, 1860 at Police Station City Morinda, District Rupnagar.

Briefly, on 14.09.2021 at about 02:00 PM, the petitioner entered into scuffle with the victim and tore her shirt.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated. The victim has been wrongly projected by Gurpreet Singh @ Toni as the wife of the petitioner has instituted a complaint against him and others. In terms of order dated 15.10.2019, the said Gurpreet Singh @ Toni along with others have been summoned for having committed the offence under Sections 147/452/354/323/506/149 IPC. The petitioner is an eye-witness in that case.

Adjourned to 09.08.2022.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with

other conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel, on instructions of ASI Sudesh Kumar has not assailed the aforesaid factual aspect of the case and has further stated that the custodial interrogation of the petitioner is not required.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 12.05.2022 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

09.08.2022

Janki

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