

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

Sr. No. 214

CRM-M No. 22074 of 2022

Date of decision : 30.08.2022

Vasan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Balbir Singh Jaswal, Advocate for the petitioner.

Mr. M. S. Nagra, AAG, Punjab.

Mr. Anupam Bhardwaj, Advocate for the complainant.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.154 dated 27.12.2021 registered under Sections 324, 323, 452, 354, 148 and 149 IPC (Section 326 IPC added later on) at Police Station Raja Sansi, district Amritsar.

Briefly stated, the case of the prosecution is that on account of a civil dispute between the accused and the complainant side the petitioner along with his co-accused trespassed into the complainant's house and caused seven injuries on her person as also molested her.

Learned counsel for the petitioner contends that the petitioner is a 75 year old man; he has no other criminal antecedents; he has been falsely implicated in this case on account of civil disputes between the parties; even if the case of the prosecution is taken as the gospel truth, though vehemently

denied, no specific injury is attributed to the petitioner; the petitioner is in custody since 17.03.2022; investigation qua the petitioner is complete; there is unexplained delay of 15 days in lodging of the FIR and that in view of the afore submissions further incarceration of the petitioner is unnecessary.

Learned State counsel as also learned counsel for the complainant oppose the grant of bail to the petitioner on the ground that he along with his co-accused trespassed into the complainant's house and caused seven injuries on her person as also molested her.

The petitioner is a 75 year old man; he is in custody since 17.03.2022; he has no other criminal antecedents; no specific injury is attributed to the petitioner; there is unexplained delay of 15 days in lodging of the FIR and that investigation qua the petitioner is complete.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Amritsar, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

30.08.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

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