

209 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25193-2022

Date of Decision: 06.09.2022

DHARAMPREET SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Ritesh Aggarwal, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

Mr. Mohit Shukla, Advocate
for the complainant.

VIVEK PURI, J.(ORAL)

On 02.06.2022, the following order was passed:-

“Petitioner is seeking anticipatory bail in case bearing FIR No. 46 dated 21.05.2022 under Sections 354, 452, 506 IPC, registered at Police Station Bhadson, Patiala.

Briefly, the FIR has been registered on the allegations that on 19.05.2022, the complainant along with her sister were sleeping in the separate room of their house. At about 12 noon, an unknown person with muffled face entered the house, who tore the shirt of the complainant and outraged her modesty. The handkerchief was removed and the petitioner was identified. Thereafter, he put the blade on the hand of the complainant and threatened to cut the vein in the event an alarm is raised.

Learned counsel for the petitioner contends that in fact Laddi, the husband of the complainant along with others had committed criminal trespass in the house of the petitioner on 19.05.2022 and inflicted injuries upon him. The matter was reported to the police vide DDR No. 31 dated 20.05.2022 and the FIR bearing No. 49 dated 24.05.2022 under Sections 452, 323, 506, 148 and 149 IPC has been registered at the instance of the petitioner against Laddi i.e. the husband of the complainant and 5 other persons. It is a case of version and cross-version and false allegations have been levelled in the FIR to create false defence version.

Notice of motion.

Ms. Bhavna Gupta, DAG Punjab accepts notice on behalf of the State.

Mr. Arjun Shukla, Advocate has put in appearance on behalf of the complainant and has filed his Vakalatnama.

Adjourned to 06.09.2022.

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 issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Parvinder Singh, has not assailed the aforesaid factual aspects and further contends that the custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 02.06.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

06.09.2022
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(VIVEK PURI)
JUDGE

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