

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(201)

CRM-M-27632-2022  
Date of decision:- 09.08.2022

Surinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Srishtti S. Sharma, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab for State-respondent.

...

**SUVIR SEHGAL, J. (Oral)**

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking grant of pre-arrest bail in case FIR No.0058 dated 20.05.2022, registered for offences under Sections 354-A, 354-B and 506 of the Indian Penal Code, 1860, at Police Station Shimlapuri, Police Commissionerate, Ludhiana, Annexure P-1.

On 29.06.2022, this Court passed the following order in the main petition:-

*Learned counsel for the petitioner, inter alia, contends that in the present case, the petitioner had filed a complaint under Section 156(3) Cr.P.C. against the complainant as well as her husband on 11.04.2022 with respect to the incident dated 14.03.2022 in which it has been stated that the petitioner was manhandled. It is submitted that as a counter blast, the said complaint was filed on the basis of which, the present FIR has been registered on 20.05.2022 against the present petitioner. It is further submitted that the observations made in the order rejecting grant of bail to the petitioner, to the effect that the complaint was made immediately after the date of the alleged incident on 08.03.2022 is incorrect inasmuch as, the*

*petitioner had prayed for anticipatory bail as he had apprehension that the complainant would implicate the petitioner in a false case and when the said case came up for hearing on 11.05.2022, a statement was recorded by the Senior constable Gurpreet Singh of the police station concerned who had given a statement to the effect that there is no complaint/application filed against the present petitioner and accordingly the said anticipatory bail was dismissed as having been rendered infructuous. It is, thus, highlighted that the said fact, prima facie, shows that till 11.05.2022, no complaint was filed by the complainant with respect to the alleged incident of 08.03.2022. It is also contended that no injury has been inflicted upon the complainant.*

*Notice of motion for 09.08.2022.*

*In the meantime, in the event of arrest, the petitioner is ordered to be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”*

Upon instructions received from ASI, Rajinder Kumar, State counsel submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation.

In view of the above, but without commenting on the merits of the case, present petition is allowed.

Order dated 29.06.2022 granting interim bail to the petitioner, is made absolute, subject to conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

**(SUVIR SEHGAL)**  
**JUDGE**

09.08.2022

*Kamal*

|                           |        |
|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |