

209-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34466-2022
Date of decision: 25.08.2022

POONAM SHARMA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. N.S. Goraya, Advocate for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

VIVEK PURI, J. (ORAL)

On 05.08.2022, the following order was passed:-

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.72 dated 20.06.2022, registered under Sections 376/511/451/323/34 IPC at Police Station Division No.4, District Ludhiana.

Briefly, the allegations in the FIR are to the effect that the prosecutrix is aged about 19 years and she was called to his house by Satish Sarpal i.e. the father of the petitioner. Satish Sarpal made an attempt to commit wrong act with her and the co-accused gave beatings to her. Learned counsel for the petitioner contends that the allegations with regard to commission of tress-pass and attempt to commit rape have not been attributed to the petitioner. The allegations against the petitioner are to the effect that he had caught hold of the victim from her hair and hit her with 'thapi' . This incident took place after about one hour when the co-accused Satish Sarpal allegedly made an attempt to commit wrong act with her. The allegations against the petitioner are with regard to the commission of offence under Section 323 IPC which is bailable. The main accused Satish Sarpal has already been arrested and has been remanded to judicial custody.

Moreover, the similarly placed co-accused namely, Gaurav Sarpal and Ritu Sarpal who are the brother and sister-in-law of the petitioner respectively, have been granted interim bail.

Notice of motion.
Ms. Ruchika Sabherwal, AAG Punjab accepts notice on behalf of the State.
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 her 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.
Adjourned to 25.08.2022.
To be heard with CRM-M-28764-2022.”

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

On instructions from ASI Sita Ram, learned State counsel also states that the petitioner has joined the investigation and her custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 05.08.2022, granting interim bail to the petitioner is made absolute.

The petition is allowed.

25.08.2022
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(VIVEK PURI)
JUDGE

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