

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

227

(Through Video Conferencing)

CRM-M-40420-2021

Date of decision: 19.01.2022

Palwinder Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Bipan Ghai, Sr. Advocate with
Mr. Paras Talwar, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.80, dated 18.05.2021 under Sections 452, 354, 323, 506 and 149 IPC, registered at Police Station Mehtiana, District Hoshiarpur.

Learned senior counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the case in hand, which finds credence from the fact that the alleged occurrence took place on 15.05.2021 whereas FIR in question was registered on 18.05.2021. He submits that though the petitioner allegedly molested the complainant, however, the CD of alleged occurrence, which has been annexed as Annexure P-6, does not even obliquely reveal any such act on the part of the petitioner. He further submits that the injury allegedly inflicted by the petitioner were found to be simple in nature.

He further submits that in compliance of order dated 28.09.2021, the

petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Jaswinder Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He further submits that the petitioner is not required for further investigation much less custodial interrogation.

In view of the above, the petition is allowed and interim order dated 28.09.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

19.01.2022

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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