

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

207

CRM-M-42404-2021

Date of Decision:14.03.2022

JAGTAR SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Lovish Rattan, Advocate for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

Vide the instant petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.157 dated 16.08.2021, registered under Sections 354/354-D/506 of IPC, 1860, at Police Station Sadar Faridkot, District Faridkot, Annexure P-1.

As per the case of the prosecution, FIR, Annexure P-1, has been registered on the statement of a 20 years old victim on the allegation that Jagtar Singh (present petitioner) is known to her and they used to travel to college in a bus. However, he used to harass her and a compromise between them was effected in a Panchayat, where he assured that he will not trouble her. At noon time on 02.08.2021, when the victim was waiting for her bus at the bus stand, Jagtar Singh came and pushed her twice, by touching her inappropriately and told her that despite the fact that they were earlier in a relationship, she has deliberately gone to the panchayat. She confided in her parents about the occurrence, who tried to get the matter settled, but the petitioner did not mend his ways.

On 08.10.2021, this Court passed the following:-

“Heard.

Counsel for the petitioner herein prays for grant of anticipatory bail to the petitioner while contending that the allegations as set out in the FIR are patently false. In fact, the petitioner and the complainant were in a relationship since last three years and when this fact came to the knowledge of father of the complainant, the instant FIR has been registered.

Notice of motion for 14.03.2022.

At this stage, Ms. Rashmi Attri, AAG Punjab, who is present in court, accepts notice on behalf of the respondent-State.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to 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 from ASI Gurjeet Singh, State counsel submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He has specific instructions to state that the statement of the victim has not been recorded under Section 164 of Cr.P.C.

In view of the above, the present petition is allowed and the order dated 08.10.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

14.03.2022
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No