

CRM-M-42897-2021

Date of decision-14.02.2022

Gurpreet Singh

...Petitioner

Vs.

State of Punjab

...Respondent

**CORAM:- HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present: Mr. G.P.S. Ghuman, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. Hardeep Singh Saini, Advocate for the complainant.

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

Heard through video conferencing.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973, seeking grant of anticipatory bail to the petitioner in case FIR No.0130, dated 10.09.2021 registered for offence under Sections 452, 323, 354-A, 427, 148 and 149 of IPC, at Police Station Bassi Pathana, District Fatehgarh Sahib (Annexure P-1).

FIR, Annexure P-1, came to be registered on the complaint of Rekha Sharma, on the allegation that a dispute arose between her husband, who is running a utensil store, and Jora Singh who had made some purchases from the shop. Jora Singh, under intoxication, came armed with an iron rod along with his accomplices, attacked the complainant and her husband and caused them injuries. He caught her by her shirt collar, passed obscene remarks and outraged her modesty.

Heard counsel for the parties.

Vide order dated 12.10.2021, this Court granted interim protection to the petitioner and the following order was passed:-

*“Counsel for the petitioner herein prays for grant of anticipatory bail to the petitioner, while contending that the main allegations are against co-accused Jora Singh.*

*Notice of motion.*

*At this stage, Mr. A.S. Gill, Sr. DAG Punjab, who is present in court, accepts notice on behalf of the respondent-State. He opposes the grant of anticipatory bail to the petitioner by contending that he too had entered the house of complainant-Rekha.*

*Adjourned to 14.02.2022.*

*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 Sapinder Singh, State counsel, assisted by counsel for the complainant, submits that the petitioner has joined the investigation and is no longer required for custodial interrogation. As per his instructions, the matter is under investigation as the co-accused, Jora Singh, has not yet been apprehended.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed. Order dated 12.10.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

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

**14.02.2022**

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