

213 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42601-2022

Date of Decision: 08.12.2022

HARPREET SINGH AND ANOTHER ... PETITIONERS
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Mohinder Singh Kathuria, Advocate
for the petitioners.

Mr. Amit Shukla, AAG, Punjab.

VIVEK PURI, J.(ORAL)

On 16.09.2022, following order was passed:-

“Petitioners are seeking anticipatory bail in case bearing FIR No. 207 dated 18.08.2022 under Sections 354, 323, 506, 34 IPC, registered at Police Station Jamalpur, District Ludhiana, Punjab.

Learned counsel for the petitioners contend that as per the allegations, the complainant is aged about 23 years and is working as an artist in Mahakumbh Art Pundri, Haryana along with Tinku Sharma. On 17.08.2022, she was present in a rented accommodation for stay during the night in a group consisting of 14 members. At about 2:30 A.M., the petitioners entered the premises and outraged the modesty of the complainant. They had also inflicted injuries on the person of Tinku Sharma who is also stated to be a member of the group. It has been further contended that in fact the uncle of the petitioners is the owner of the premises wherein the group had stayed, when they had visited the village for performing in a program. The group consisted of about 14 persons who were creating ruckus during the night hours. The co-villagers raised a grievance with the petitioners. They had gone to the premises only with an intention to advice the occupants to refrain from creating ruckus as it was uncomfortable to the co-villagers. However, a scuffle took place and the petitioners have been falsely implicated in the instant case.

Notice of motion.

Ms. Ruchika Sabherwal, DAG Punjab accepts notice on behalf of the State and seeks adjournment to get instructions in the matter.

Adjourned to 08.12.2022.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioners contend that in pursuance of interim directions issued by this Court, the petitioners have joined the investigation.

Learned State counsel, on instructions from ASI Sadhu Singh, has not disputed the aforesaid factual aspect and further submits that custodial interrogation of the petitioners is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioners. Accordingly, order dated 16.09.2022, vide which the petitioners have been granted interim bail, is made absolute.

Petition is allowed.

08.12.2022
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(VIVEK PURI)
JUDGE

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