

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

CRM-M-48173-2022

Date of Decision: 21.10.2022

Satveer Singh

..... Petitioner

Versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Parminder Singh Rai, Advocate, for the petitioner.

Mr. Karunesh Kaushal, Assistant Advocate General, Punjab.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.197 dated 18.7.2022, registered under Sections 354, 354-A, 506 IPC, at Police Station City Kharar, SAS Nagar, Mohali.

As per facts of the case, the FIR was lodged by the prosecutrix (name concealed). It was alleged that the prosecutrix was doing domestic work and she was introduced to Satveer Singh i.e. the petitioner. He often used to visit her home. At number of times, she warned him and thereafter, Satveer Singh, improved himself. On 18.7.2022, when she was alone at home, Satveer Singh made a telephone call to her and asked her to meet at Mickey Dhaba. She went there at 4:30 pm, where he took her to the room at the first floor of the said Dhaba. After taking her, he caught hold her and outraged her modesty. Request was made to lodge the FIR and take the legal action against the culprit. On the basis of the complaint, the FIR was registered and the investigation commenced. The petitioner was arrested on 18.7.2022. He approached the Court of learned Addl. Sessions Judge, SAS Nagar for grant of bail, who, after hearing the parties, declined the same vide order dated 25.8.2022. Aggrieved by the same, the petitioner has approached this Court by way of filing the present petition for grant of bail.

Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in this case. He submits that the petitioner and the prosecutrix both are of the age of the majority. He submits that admittedly both are known to each other, which is evident from the statement made by the prosecutrix. He submits that in view of the allegations made in the FIR, the relationship between both of them could be consensual and by no stretch of imagination it can be inferred that the petitioner forced the prosecutrix as alleged by her. He has submitted that the petitioner has no criminal antecedents and investigation in this is also complete. He has submitted that once, the investigation is already stands completed, further incarceration of the petitioner is totally unwarranted.

On the other hand, learned State counsel on instructions from ASI Harvinder Singh submits that there are allegations made by the prosecutrix against the petitioner regarding outraging her modesty. He submits that the investigation has already been completed and the petitioner has no criminal antecedents as he has never been involved in any other criminal case. He has submitted that the now the case is fixed for framing of charges on today itself.

Heard.

Admittedly, the petitioner and the prosecutrix both are of the age of the majority. The allegations made by the prosecutrix have been investigated and as submitted before this Court, the challan already stands presented. The learned trial Court is now seized of the matter and the case is fixed for framing of charges. As on date there is nothing to suggest that the petitioner has any criminal antecedents. The veracity of the allegations would be evaluated by the trial Court only after conclusion of the trial. This

Court would refrain itself from commenting anything on the merits of the case, however, considering the prayer for grant of bail to the petitioner, I am of the view that learned counsel for the petitioner has been able to make out a case for grant of regular bail to the petitioner. The trial would take sufficiently long time for its conclusion.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of the concerned trial Court/Duty Magistrate.

Nothing said herein shall be treated as an expression of opinion on the merits of the case.

21.10.2022		(RAJESH BHARDWAJ)
sharmila		JUDGE
	Whether Speaking/Reasoned :	Yes/No
	Whether Reportable :	Yes/No