

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**101****CRM-M No.5290 of 2023 (O&M)****Date of Decision : 12.12.2023**

Surjit Singh alias Gora

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Prince Sharma Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

ALKA SARIN, J. (Oral)**CRM-33904-2023**

1. This is an application for addition of Section 201 of the Indian Penal Code, 1860 in the headnote as well as in the prayer clause of the main petition.

2. For the reasons stated in the application, the same is allowed. Registry to make necessary addition/correction in the headnote as well as in the prayer clause of the main petition. CRM stands disposed off.

CRM-M No.5290 of 2023

3. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.111 dated 31.05.2022 under Sections 379, 341, 354, 323, 506, 148, 149, 326 and 201 of the Indian Penal Code, 1860 registered at Police Station Sadar Tarn Taran, District Tarn Taran.

4. On 02.02.2023 the following order was passed :

“The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.111 dated 31.05.2022, under Sections 379, 341, 354, 323, 506, 148, 149 IPC, registered at Police Station Sadar, District Tarn Taran.

Learned counsel for the petitioner argued that it is a case of version and cross version. The complainant has leveled false allegations to put pressure on the petitioner. Even otherwise it is pointed out that she is in a habit of leveling such like allegations. In para No.8, of the bail application, the petitioner has referred as many as 07 FIRs got registered from time to time against different persons and some of the FIRs are of similar nature. Three of the FIRs are placed on record as Annexure P-5 to P-7. It is further pointed out that even as per the facts of the present case, the present petitioner is allegedly armed with stick and there is allegation that he had torn the clothes and molested the complainant and had broken the lock of the plot. Learned counsel for the petitioner has referred to Annexure P-3 i.e. the agreement of sale in their favour.

Learned State counsel argued that the allegations are serious and he is yet to join the investigation.

I have considered the aforesaid facts, so far as the mobile phone is concerned i.e. to be recovered from other co-accused namely Manjit Singh @ Gaggi s/o

Puran Singh. Considering the facts of the case, the arrest of the petitioner is stayed till the next date of hearing, subject to the joining of investigation.

Adjourned to 12.04.2023.

Reply/status report be filed by the state before the date fixed.”

5. Learned counsel for the petitioner states that the petitioner has since joined investigation and fully cooperated.

6. Learned counsel for the State on instructions from ASI Bahal Singh has submitted that the petitioner has since joined investigation and fully cooperated and that he is no longer required for further custodial interrogation as of now.

7. In view of the above, the order dated 02.02.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

8. Disposed off accordingly. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

12.12.2023
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO