

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

212

CRM-M-6504-2023

Date of Decision: 23.02.2023

Sawinder Singh @ Goldy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Kushagra Mahajan, Advocate for the petitioner

Mr. Amish Sharma, AAG, Punjab
(assisted by ASI Harjinder Singh)

JAGMOHAN BANSAL, J. (Oral)

On 08.02.2023, the following order was passed:-

“Through instant petition under Section 438 of Code of Criminal Code, 1973, the petitioner is seeking anticipatory bail in FIR No. 159 dated 13.9.2022, under Sections 354, 354-A IPC, registered at Police Station Majitha, District Amritsar.

The case of prosecution is that prosecutrix on 13.9.2022 lodged a complaint with police alleging that she is working as a Nurse in Government Hospital and the petitioner who is an ex-Councillor is having his residence in front of the hospital. He tried to stop her many times and on 9.8.2022 while she was on night duty, he came at 8.30 p.m. pretending to get his blood pressure checked up and when she tried to check his BP, the petitioner misbehaved with her, caught hold her and tried to remove her dupatta. She raised alarm and petitioner fled from the hospital.

Learned counsel for the petitioner inter alia contends that there are numerous complaints against the prosecutrix and petitioner being an ex-Councillor had visited hospital alongwith villagers. The prosecutrix had lodged complaint just to take revenge from the petitioner.

Notice of motion.

On the asking of Court, Mr. Amish Sharma, AAG, Punjab, who is present in court on advance notice, accepts notice on behalf of State-respondent.

He seeks time to file status report qua complaints filed by the petitioner and others against the prosecutrix as well presence of other staff members on the date of alleged incident.

Adjourned to 23.2.2023.”

Status report by way of affidavit of Manmohan Singh Aulakh, Deputy Superintendent of Police, Sub-Division, Majitha, Amritsar (Rural) filed by respondent-State is taken on record. Registry is directed to tag the same at appropriate place.

From the perusal of status report, it transpires that Senior Superintendent of Police, Amritsar (Rural) has conducted thorough investigation and as per his conclusion he has found that petitioner is involved in the commission of alleged offence. He has further noted that Medical Board of 6 doctors was constituted and as per their report, staff nurse Mandeep Kaur is a hardworking and sincere lady. Goldy is disturbing smooth functioning of the hospital and he is responsible for harassment of staff members. They have requested for strict action against him

In view of status report especially report of Board of Doctors, no case is made out to grant concession of anticipatory bail, thus, present petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

23.02.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>