

[205] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31042-2023
Date of Decision : 08.11.2023

Satnam Singh ...Petitioner

versus

State of PunjabRespondent

Coram : **HON'BLE MR. JUSTICE VIVEK PURI**

Present : Mr. Amandeep Singh Manaise, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG, Punjab.
Mr. B.D. Sharma, Advocate for the complainant.

VIVEK PURI, J. (ORAL)

[1] On 10.08.2023, the following order was passed:-

- 1. The petitioner is seeking anticipatory bail in the case bearing FIR No.87 dated 20.05.2023 under Sections 376, 452 and 506 IPC registered at Police Station Majitha, District Amritsar Rural.*
- 2. Learned counsel for the petitioner submits that the prosecutrix is aged about 42 years and aunt of the petitioner. Her marriage was solemnized about 20 years ago and is having three children. The husband of the prosecutrix is allegedly working as truck driver. The allegations put forth by the prosecutrix are to the effect that during the absence of her husband, the petitioner had been visiting the house and committing bad act with her. It has been further submitted that the allegations in the FIR are vague and no place and date of occurrence has been specified. A month prior to the registration of the present FIR, another FIR bearing no.67 dated 25.04.2023 under Sections 452, 354-B and 323 IPC was registered at the instance of wife of the petitioner against*

husband of the prosecutrix. At the time of the registration of the present FIR, the husband of the prosecutrix was confined in jail. The present FIR has been lodged after a period of one month from the registration of the FIR at the instance of wife of the petitioner as a counter blast. Furthermore, petitioner is a person suffering from disability. His right mid forearm has been amputated and suffering from 60% permanent physical impairment as per certificate, Annexure P-3.

- 3. Learned State Counsel has submitted that the prosecutrix has leveled substantially same allegations in the statement under Section 164 Cr.P.C.*
- 4. Learned counsel for the complainant has also opposed the bail on the score that there are categoric allegations with regard to commission of forcible sexual intercourse attributed against the petitioner.*
- 5. Adjourned to 08.11.2023.*
- 6. In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438(2) of Code of Criminal Procedure.”*

[2] Learned counsel for the petitioner contends that in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation.

[3] Learned State counsel, on instructions from ASI Bikramjit Singh, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner is not required.

[4] 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 10.08.2023, vide which the petitioner has been granted interim bail, is made absolute.

[5] Petition is allowed.

(VIVEK PURI)
JUDGE

08.11.2023
'Rajneesh'

Whether speaking/ reasoned	:	Yes/No
Whether reportable	:	Yes/No