

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31123-2023
Date of decision: 15.11.2023

SATNAM SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Nirmal Sharma, Advocate for
Mr. Akhilesh Vyas, Advocate the petitioner.

Ms. Ruchika Sabharwal, DAG, Punjab.

Ms. K.S. Brar, Advocate for respondent No.2.

VIVEK PURI, J. (ORAL)

1. Petitioner is seeking anticipatory bail in the case bearing FIR No.53 dated 27.07.2022 under Sections 376, 506 IPC, registered at Police Station Talwandi Bhai, District Ferozepur.

2. On 15.09.2023 the following order was passed:-

"1. Petitioner is seeking anticipatory bail in case bearing FIR No.53 dated 27.07.2022 under Sections 376, 506 IPC, registered at Police Station Talwandi Bhai, District Ferozepur.

2. Learned counsel for the petitioner contends that the prosecutrix is a married lady aged about 30 years and is having two children. The petitioner and the prosecutrix are residing in the neighbourhood. The prosecutrix had been alluring the petitioner to enter into relationship with her and there is also exchange of whatsapp chat. The petitioner never intended to indulge in such relationship with a married lady. The allegations with regard to commission of rape have been falsely levelled and the FIR has been lodged after a delay of 2 days. Moreover, as per the report of FSL, no human semen has been detected in the vaginal swabs of the prosecutrix.

3. Adjourned to 15.11.2023.

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

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of interim directions.
4. On instructions from ASI Jaspal, learned State counsel submits that the petitioner has joined the investigation and his custodial interrogation is not required.
5. In view of the aforesaid submissions, the order dated 15.09.2023 granting interim bail to the petitioner is made absolute.
6. The petition is allowed.

15.11.2023

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(VIVEK PURI)
JUDGE

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