

2023:PHHC:122726

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

CRM-M-32319-2023

Date of Decision: 19.09.2023

SANDEEP SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. J.K.Singla, Advocate, for the petitioner.
Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

1. On 07.07.2023, the following order was passed:-

“1. Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.101 dated 13.06.2023 registered under Sections 354/354-A/354-B/451 IPC, 1860 at Police Station Bhikhi, District Mansa.

2. Learned counsel for the petitioner contends that as per the allegations, the petitioner along with the co-accused had entered the house of the complainant and inappropriately touched her. The petitioner is physically handicapped and suffering permanent disability to the extent of 60%. The petitioner has been falsely implicated on account of political rivalry in the village as he is the prospective candidate in the forthcoming Panchayat elections. Even, the statement of the victim under Section 164 Cr.P.C has not been recorded.

3. Notice of motion.

4. Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State and seeks time to get instructions and submit reply in the matter.

5. Adjourned to 19.09.2023.

6. Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

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

3. Learned State counsel, on instructions from ASI Paramjit Singh, has not disputed the aforesaid factual aspect 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 petitioner. Accordingly, order dated 07.07.2023, vide which the petitioner has been granted interim bail, is made absolute.
5. Petition is allowed.

19.09.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No