

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.205

CRM-M-38220-2023 (O&M)
Date of decision : 14.11.2023

Jaswant Singh Cheema

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. V.P. Singh Rathore, Advocate, for the petitioner.

Mr. Harpreet Singh, Addl. AG, Punjab

HARPREET KAUR JEEWAN, J. (Oral)

1. This petition has been filed under Section 438 of the Code of Criminal Procedure for pre-arrest bail in FIR No.116 dated 19.06.2023, registered under Sections 354 & 506 IPC at Police Station Salem Tabri, Ludhiana, District Police Commissionerate Ludhiana.

2. Learned counsel for the petitioner contended that the petitioner is a well known political leader and has been Ludhiana District President of Shiromani Akali Dal (Amritsar) since the year 2010. The petitioner has also contested MLA election from Ludhiana East Constituency in the year 2017 and 2022 as a candidate from the said political party. However, the present FIR is an outcome of two complaints which were filed by the complainant and her mother and both are contradictory. The original complaint dated 20.05.2023 was filed by the mother wherein there is no allegation regarding the alleged incident dated 19.05.2023. It is further submitted that the mother of the complainant has filed an affidavit dated 19.12.2017 (Annexure P-3) whereby she had apologized for filing a previous complaint against the petitioner in the year 2016 and she

has also mentioned in the said affidavit that she is in live-in-relationship with

the petitioner for the past about 10 to 12 years and even, all her expenses and expenses of her three daughters are borne by the petitioner. The present FIR was registered on 19.06.2023 at the instance of Paramjot Kaur and Simran Kaur for the reasons that the petitioner stopped supporting the complainants as they were in the company of other persons.

3. Learned State counsel on instructions from Inspector-Baljit Kaur submits that there are serious allegations against the petitioner in the present FIR about sexual harassment of an unmarried girl. It was further contended that another FIR No.39 dated 05.02.2015 under Sections 452, 323 & 307 IPC is registered against the petitioner at Police Station Salem Tabri, Ludhiana.

4. As per affidavit (Annexure P-3) which is alleged to have been executed by Simran Kaur who is one of the complainant, the petitioner was having live-in-relationship with her despite being married and having children. Even in the present FIR, there are serious allegations of sexual harassment of an unmarried girl.

5. Faced with this situation, learned counsel for the petitioner submits that he may be permitted to withdraw this petition, at this stage.

6. The present petition is dismissed as withdrawn.

7. Pending application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

14.11.2023
Ramandeep Singh

Whether speaking / reasoned	Yes
Whether Reportable	No