

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41389-2022

Date of Decision:21.04.2023

BHUPINDER SINGH

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. S.S. Sarawara, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Punjab
assisted by ASI Angrej Singh.

Mr. A.S. Barnala, Advocate for the complainant.

JAGMOHAN BANSAL, J. (Oral)

On 09.09.2022 following order was passed:

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short “the Code”) for grant of anticipatory bail in FIR No.110 dated 28.07.2022, registered for offences under Sections 354, 354-A, 323 and 457 of the Indian Penal Code, 1860, at Police Station Shambu, District Patiala, Annexure P-1. Counsel for the petitioner has urged that although, petitioner is alleged to have attempted to sexually assault the complainant and molested her, but these allegations have not been supported by the complainant in her statement under Section 164 of the Code.

Notice of motion.

On asking of the Court, Mr. P.S.Grewal, DAG, Punjab accepts notice on behalf of the respondent-State. He is assisted by Mr. Anutej Singh Barnala, Advocate for the complainant, who has filed Power of Attorney, which is taken on record.

*List on 25.01.2023.**To be heard with CRM-M-38095-2022.*

Petitioner is directed to appear before the Investigating Officer at Police Station Shambu, District Patiala on 15.09.2022 at 10.00 A.M. and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

Learned State counsel submits that petitioner has already joined investigation and challan stands presented on 17.03.2023.

In view of the above, the petition is allowed and the interim protection granted to the petitioner vide order dated 09.09.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court

(JAGMOHAN BANSAL)
JUDGE

21.04.2023
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No