

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

205

CRM-M No.44651 of 2022
Date of Decision: 28.08.2023

Piara Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Amritpal Singh Gill, Advocate
for the petitioner.

Mr. Virat Rana, AAG, Punjab
for the respondent-State.

MEENAKSHI I. MEHTA, J. (Oral)

The petitioner herein has sought the relief of anticipatory/pre-arrest bail in the criminal case arisen out of the FIR bearing No.64 dated 04.08.2022 registered at Police Station Bariwala, District Sri Muktsar Sahib, under Sections 376 and 323 IPC.

2. It is worth-while to mention here that while extending the relief of interim bail to the petitioner on 27.09.2022, the Co-ordinate Bench has made the following observations: -

“ *Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He submits that the prosecutrix and petitioner are family members and thus are related to each other. He submits that there is a family*

dispute between both of them and on account of the same the FIR in question has been lodged, wherein allegations have been levelled by the prosecutrix that on 3.8.2022 at 11:04 AM Jagsir Singh, who is jeth of the prosecutrix had committed rape upon her. He submits that there was no whisper regarding complicity of the petitioner, who is uncle of the husband of the petitioner. Thereafter in a deliberated manner the supplementary statement of the prosecutrix was recorded on 5.8.2022 i.e. a day after registration of the FIR. Counsel submits that name of the petitioner has been mentioned in the supplementary statement only in order to implicate him in a false case. It is submitted that petitioner has no criminal antecedents and he is ready to join investigation.”

3. Today, learned State counsel, on the instructions from ASI Rajbir Singh from the afore-referred Police Station, informs the Court that in compliance of the above-said order as passed by the Co-ordinate Bench, the petitioner had joined in the investigation and his custodial interrogation is not required and he is also not involved in any other criminal case and moreover, the Challan has already been presented before the Competent Court.

4. In view of the afore-discussed submission as made by learned State counsel and also the fact that the prosecutrix has not levelled any allegation against the petitioner qua his having raped her, the present petition is allowed and the relief of interim bail, as extended to the petitioner named Piara Singh by the Co-ordinate Bench vide the said order

dated 27.09.2022, is hereby made absolute.

5. However, the petitioner shall strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.

28.08.2023

neetu

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No