

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.224

CRM-M-55671-2022

Date of Decision: 23.01.2023

Harjit Singh @ Bagga Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Amandeep Chhabra, Advocate
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

Mr. P.K.S.Phoolka, Advocate
for the complainant.

TRIBHUVAN DAHIYA, J. (ORAL)

This is a petition under Section 439 Cr.P.C. seeking grant of regular bail to the petitioner in case FIR No.71 dated 19.05.2022, registered under Sections 376 and 506 IPC at Police Station Cantt., District Bathinda.

The allegations against the petitioner are that he raped the complainant's wife, who is about 35 years old, while she was at her residence, and had been blackmailing her for the three months. He is also alleged to have used abusive language and given threats to the family of a serving soldier/complainant.

Learned counsel for the petitioner contends that the relationship between the petitioner and the complainant's wife was continuing for some time. There is no medical evidence of any forcible sexual assault by him. The allegation that the petitioner used to forcibly develop relations after giving some intoxicant substance to the prosecutrix, is also not believable.

Learned State counsel, upon instructions from ASI Paramjit Singh, opposes the grant of bail by stating that two out of seventeen witnesses have been examined and trial is going on. The petitioner is in custody since 02.07.2022.

In this factual background, it is apparent that trial of the case is not likely to conclude in near future. As the prosecutrix as well as the complainant have already been examined, there is no apprehension of their being influenced by the petitioner in the event of his being released on bail.

In view thereof, the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Petition stands allowed.

(TRIBHUVAN DAHIYA)
JUDGE

23.01.2023
Maninder

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