

283

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56558-2022

Date of Decision:- 02.02.2023

RAJINDER SINGH ALIAS RAJU

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Nirbhay Singh, Advocate for the petitioner.

Mr. M.S.Joshi, Addl. A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

The petitioner – Rajinder Singh @ Raju has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.0106, dated 04.10.2022 under Sections 354, 354-A, 354-B, 354-D, 506, 509 of IPC registered at Police Station Urban Estate, District Patiala.

The facts of the case are that the prosecutrix filed a written complaint to the Registrar, Punjabi University, Patiala on the basis of which the enquiry was conducted and the present FIR has been registered against Rajinder Singh @ Raju, Peon, Punjabi University under Sections 354, 354-A, 354-B, 354-D, 506, 509 IPC. The prosecutrix alleged that she is doing M.A. Part-I in Music Department. She was physically and mentally harassed by Rajinder Singh @ Raju, Class IV employee. The matter was also inquired by the University authorities. She claimed that she was being harassed for the last 8-9 years but she tolerated the behaviour of the accused to save the honour of her family. She further

step mother. She was beaten up. Rajinder Singh @ Raju assaulted her physically and she was threatened by him to click her obscene photos. He also tried to influence her parents to withdraw the complaint with the influence of money. Ultimately, the present FIR was registered.

Learned counsel for the petitioner argued that all the allegations levelled against him are false. There is delay in lodging the complaint. He is being falsely implicated at the instance of University authorities. Being the President of non-teaching staff, he used to raise voice for the wrong being done to the non-teaching staff and for this reason, he is falsely implicated in this case. The present petitioner is ready to join the investigation. There is no evidence against him. He will join the investigation and will abide by the terms of bail order. His anticipatory bail application was wrongly declined by the Learned Additional Sessions Judge, Patiala vide order dated 25.11.2022, which is Annexure P-4. It is prayed that his anticipatory bail application may be allowed.

On the other hand, learned counsel representing the State opposed the bail application. It is argued that there are serious allegations against the present petitioner, who is yet to join the investigation. There is reference of another FIR No. 92 dated 08.05.2021 registered against him under Sections 354, 354-A, 323, 324, 506, 341, 148, 149 of IPC at Police Station Urban Estate, Patiala. Considering the gravity of offence, it is prayed that his anticipatory bail application may be dismissed.

I have considered the arguments and have gone through the record carefully. The prosecutrix has levelled specific allegations against the present petitioner, who is Class IV employee of Punjabi University, Patiala, whereas, the prosecutrix is a student in the said University. She has levelled allegations of physical and mental harassment as well as for

outraging her modesty. She has also named her step mother who in connivance with the present petitioner indulged in the aforesaid activity. In the status report, there is reference of another FIR No. 92 dated 08.05.2021 under similar provisions. The petitioner is required to join the investigation, otherwise, the investigation in this case will be adversely effected. Therefore, considering the nature of allegations, I do not find a fit case for grant of anticipatory bail to the petitioner - Rajinder Singh @ Raju and the same is, accordingly, declined.

02.02.2023

*lalit***(AMARJOT BHATTI)**
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No