

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.64576 of 2023 (O&M)
DATE OF DECISION: 21st DECEMBER, 2023

Pushpinder Singh @ Pappi

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Shivender Pal Singh, Advocate,
for the petitioner.

* * * *

RAJBIR SEHRAWAT, J. (Oral)

1. The present second petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.168 dated 03.08.2023 registered under Sections 500, 506, 509 IPC and Sections 66(E) and 67(A) of the Information Technology Act, 2000, at Police Station City Moga, District Moga.

2. It is submitted by learned counsel for the petitioner that the matter has since been compromised and the complainant has no more grievances. Not only that, the petition i.e. CRM-M-64056-2023 has been filed for quashing of FIR on the basis of compromise and in the said petition, notice has been issued and the parties have been directed to appear before the trial Court for getting the statements recorded qua the compromise. Hence, the petitioner deserves to be protected against his arrest.

3. Notice of motion.

4. Mr. Saurav Verma, Additional Advocate General, Punjab, accepts notice on behalf of the State and Mr. Brijeshwar Singh Bhalla, Advocate, puts in appearance on behalf of respondent No.2-complainant.

5. Learned State Counsel being assisted by learned counsel for the complainant, has submitted that earlier, the similar application for anticipatory bail was dismissed by this court by considering the merits of the case. The issue involved in the case is very serious; relating to blackmailing by creating false cases on the allegations of rape. Hence, the petitioner does not deserve any concession of anticipatory bail. However, it is not disputed by learned counsel for respondent No.2-complainant that the matter has been settled between the parties amicably.

6. In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Arresting/Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

21st DECEMBER, 2023
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(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No