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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10852-2024 (O&M)
Date of decision: 18.07.2024

Baljinder Singh Malia

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Anjali Khosla, Advocate for
Mr. Naresh Jain, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

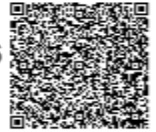
HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.100 dated 03.12.2023 under Sections 354 & 506 of IPC, registered at Police Station PAU, Ludhiana.

2. On 29.02.2024, the following order was passed:-

“The petitioner is seeking grant of anticipatory bail in case arising out of FIR No.100 dated 03.12.2023 registered under Sections 354 and 506 of IPC at Police Station PAU, Ludhiana on the basis of statement recorded by the complainant-‘N’ (name withheld) alleging therein that on 03.12.2023, she was

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staying in hotel Onnin at room No.320. The present petitioner, who was staying in adjoining room, met her while strolling outside and started talking to her. They had a small conversation and during the course of the same, he forcibly took her inside the room and tried to outrage her modesty and criminally intimidated her.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. In fact, he is resident of Poland. He has some financial dispute with one Deepak Aggarwal and it was on asking of the said Deepak Aggarwal that he had come to India and was staying in that room. The above said Deepak Aggarwal in connivance with one Aman Tayal, had hatched a conspiracy and in pursuance of the same, the complainant was made to stay in an adjoining room. He has been implicated on the basis of false allegations.

Learned counsel for the petitioner has also drawn the attention of this Court towards the call detail records stated to be showing the conversation that had taken place between Deepak Aggarwal, Aman Tayal and the complainant just one day before the lodging of the FIR in this case.

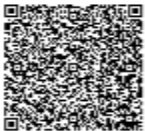
Notice of motion.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab who appeared on advance notice of the petition, seeks time to file status report.

Notice to respondent No.2 be also issued for 06.05.2024 after depositing process fee by the petitioner.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required

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thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3 Learned State counsel, on instructions from ASI Satnam Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 29.02.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.

5. The petition stands disposed of.

[HARPREET SINGH BRAR]
JUDGE

18.07.2024
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No