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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-18917-2024 (O&M)

Date of Decision: 21.08.2024

JUGRAJ SINGH ALIAS SANAM

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. K.S. Dhillon, Advocate
for the petitioner.

Ms. Himani Arora, AAG, Punjab.

HARPREET KAUR JEEWAN, J.

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.76 dated 09.03.2024 registered under Sections 376, 506, 34 IPC at Police Station Goindwal Sahib, District Tarn Taran.

2. On 19.04.2024, this Court passed the following order and directed the petitioner to join the investigation:

‘1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 76 dated, 09.03.2024 registered at Police Station Goindwal Sahib, District Tarn Taran, under Sections 376 and 506 of the IPC read with Section 34 thereof.

2. Learned counsel for the petitioner inter alia contends that as per the FIR, the alleged occurrence took place on 08.03.2024 at about 01:30 p.m. at the house of the prosecutrix where the husband of the prosecutrix was allegedly present and it is the case of the prosecutrix that



the petitioner had sent her husband out of the house after giving him intoxicants. The alleged role attributed to the petitioner is only that he was standing outside the room at the time when the alleged occurrence of sexual assault took place.

3. Notice of motion.

4. On advance notice, Ms. Himani Arora, A.A.G., Punjab appears on behalf of the respondent-State and seeks time to file status report.

5. However, learned State counsel has confirmed the fact that the co-accused of the petitioner, namely, Manpreet Singh who is the main accused in the present FIR, having allegations of sexual abuse of the prosecutrix has already been already arrested and is in custody.

6. Adjourned to 23.07.2024.

7. In the meanwhile, the petitioner is directed to join investigation within ten days and in the event of arrest, he shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to his furnishing bail bonds and surety bonds, and also subject to the following conditions:-

(i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.'

3. Learned counsel appearing on behalf of the respondent-State on instructions from ASI Kulwinder Kaur has informed that the petitioner had joined the investigation and custodial interrogation of the petitioner is not required. Learned State counsel has further informed that the final report under Section 173 Cr.P.C. has already been presented before the trial Court.

4. Keeping in view the reasons recorded in the order dated 19.04.2024 and keeping in view the fact that the petitioner has joined investigation and the allegations *inter se* the petitioner and complainant are matter of trial, the present petition is allowed and the order dated 19.04.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

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5. Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
6. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

21.08.2024
P.Bhatt

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