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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-26954-2024

Date of decision: 27.05.2024

Amrik Singh

....Petitioner

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR****Present:** Mr. G.S. Kaura, Advocate  
for the petitioner.

Mr. Subhash Godara, Addl.A.G., Punjab.

**HARPREET SINGH BRAR, J. (ORAL)**

The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing criminal complaint No.123 of 2018 dated 21.12.2018 titled as 'Reshma Rani Vs. Amrik Singh' under Sections 420/406/376 of IPC as the petitioner has been summoned in the above said criminal case vide order dated 28.02.2024.

The complaint (*supra*) was lodged on the allegations that the accused/petitioner is the friend of the husband of the complainant and he used to visit the house of the complainant. Later on, the complainant and the accused started talking on phone frequently and due to some reasons, a misunderstanding had arisen between the complainant and her husband and the accused started taking unfair advantage of their dispute. It is further alleged that when the husband of the complainant died, the accused started visited her in a rented accommodation when she was alone and asked her for tea. When the complainant brought tea for herself and for the accused, he requested her to

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get a glass of water. When the complainant went to the kitchen to get a glass of water, the accused/petitioner spiked her tea with some intoxicating substance, did wrong acts with the complainant and threatened her that if she spill the beans about this, he will upload her obscene photographs and videos on the internet to defame her and will kill her children.

Learned counsel for the petitioner *inter alia* contends that the complainant is 48 years of age having two children. The relationship between the petitioner and the complainant was consensual in nature. The veracity of the allegations made by the complainant was twice examined by the jurisdictional police authorities and the same was even verified by the Superintendent of Police and her allegations were found to be false and, thereafter, the complainant/prosecutrix has filed the complaint (*supra*) in which the learned trial Court has summoned the petitioner to face trial under Sections 420/376 of IPC. All the allegations levelled in the complaint (*supra*) are implausible and too far fetched. The custodial interrogation of the petitioner is not required as he has been summoned in a criminal complaint and only his appearance is required.

The learned State counsel appears on behalf of respondent No.1-State and could not controvert the fact that the veracity of the allegations was examined by the jurisdictional police authorities and the same was found to be false.

Having heard learned counsel for the parties and on perusal of the records, the present petition is disposed of with a direction to the petitioner to appear before the trial Court within two weeks from today and on his doing so, the petitioner shall be admitted to bail on furnishing of bail/surety



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bond to its satisfaction.

In case, the petitioner fails to join the proceedings within the stipulated period as directed by this Court, the instant petition shall be deemed to be dismissed.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)  
JUDGE

27.05.2024  
Neha

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