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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-30102-2024 (O&M)
Date of decision: 08.07.2024

Sajan Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sukhbir Maandi, 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.101 dated 23.04.2024 under Sections 354, 506, 509 of the Indian Penal Code, 1860 (for short 'IPC') (Section 309 of IPC and Section 67 of Information Technology Act, 2000 were added later on), registered at Police Station Jandiala, District Amritsar Rural, Punjab.

2. On 18.06.2024, the following order was passed:-

“Instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in

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case FIR No.101, dated 23.04.2024, under Sections 354/506/509 IPC (Section 309 IPC and Section 67 of the IT Act has been added later on), registered at Police Station Jandiala, District Amritsar Rural.

Learned counsel for the petitioner has contended that the petitioner is the real brother of the accused, namely Jaspal Singh and he has been falsely implicated in the present case. No role or specific attribution has been made to the petitioner in the FIR. He has further contended that there is a delay of 19 days in lodging of the FIR. The petitioner has neither committed sexual assault nor uploaded any objectionable photographs of the complainant on the social media.

On the other hand, learned counsel for the complainant has opposed the bail application by contending that the petitioner has committed the offence in connivance with the main accused.

Notice of motion.

Mr. Malkiat Singh, DAG, Punjab accepts notice on behalf of respondent-State and seeks time to filing of the status report.

Mr. Neeraj Kalair, Advocate accepts notice on behalf of the complainant.

Adjourned to 08.07.2024.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

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3. Learned State counsel, on instructions from ASI Balbir 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 18.06.2024 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.

08.07.2024
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[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No