

206

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-3797 of 2015

Date of decision: February 16, 2015

Amandeep Singh Jassar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Y.S. Turka, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, AAG Punjab.

SABINA, J

Petitioner has filed this petition under Section 438 of Code of Criminal Procedure, 1973 ('Cr. P.C.' for short) seeking anticipatory bail in FIR No.194 dated 11.12.2014, under Sections 452, 354, 506, 34 of Indian Penal Code, 1860 ('IPC' for short) (Section 376 IPC added later on), registered at Police Station Chamkaur Sahib, District Rupnagar.

Learned counsel for the petitioner has submitted that as per the FIR, allegation levelled against the petitioner was that he had slapped and abused the prosecutrix. Even in the supplementary statement, i.e. Annexure P-2, prosecutrix had not levelled allegations against the petitioner qua commission of offence of rape.

Learned State counsel, on the other hand, has submitted that the statement of the prosecutrix was recoded under Section 164 Cr. P.C. on 03.01.2015, wherein specific

allegations have been levelled against the petitioner and his co-accused that they had all committed offence of rape after administering liquor to her. Prosecutrix further stated that all the accused had threatened her that in case, she narrated the occurrence to anyone, they would upload the video prepared by them. Learned State counsel has further submitted that petitioner is required for custodial interrogation.

Thus, in the present case allegations levelled against the petitioner are serious in nature. Although, as per the FIR and supplementary statement (Annexure P-2), no allegations of commission of offence of rape has been made by the prosecutrix so far as the petitioner is concerned, but in her statement recorded before the Magistrate, prosecutrix has specifically stated that the petitioner alongwith his co-accused had raped her after administering liquor to her and had threatened her that in case, she narrated the occurrence to anyone, they would upload the video prepared by them. Petitioner is required for custodial interrogation.

Hence, no ground for grant of anticipatory bail to the petitioner, is made out.

Dismissed.

**(SABINA)
JUDGE**

February 16, 2015

m.singh