

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

Crl. Misc. No.M-15515 of 2016

Date of decision : 02.08.2016

Shitiz Shammi Vohra

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Paras Talwar, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Mr. D.S. Matya, Advocate
for the complainant.

ANITA CHAUDHRY, J.

Through the instant petition, the petitioner is seeking anticipatory bail in case FIR No.31 dated 11.03.2016, registered under Sections 376/506 IPC, Police Station Women Police Station, Sector 52, Gurgaon, District Gurgaon.

State counsel states that petitioner has joined the investigation.

The counsel for the petitioner contends that the prosecutrix was working in a multinational company and the petitioner was posted as Flight Lieutenant in Indian Air Force and they were in a relationship since 2005 and the prosecutrix did not want to get married to the petitioner and has now got married in April, 2016.

The allegations show that the prosecutrix had alleged that there was a promise of marriage in December, 2015. The allegations were that the petitioner had mixed something in her drink and had ravished her. The copy of the MLR available with the police shows that the prosecutrix did not give the vaginal swabs for comparison.

The counsel appearing for the complainant while showing copy of some e-mails states that the petitioner has been writing dirty e-mails even to the husband of the complainant.

The State counsel says that no e-mails were handed over to the police.

I have gone through the copy of e-mails. These e-mails were sent in January, 2016 and not after the marriage.

The counsel for the complainant states that the petitioner is writing these e-mails with a fake account.

Custodial interrogation is not required. It appears that the prosecutrix has not given any further complaint.

Looking to all these circumstances, but without commenting on the merits of the case, the petition is allowed and order dated 06.05.2016 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

02.08.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No