

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-21347 of 2016

Date of decision: August 05, 2016

Sanju

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sanjay Vashisth, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.194 dated 05.03.2016 under Sections 379-A, 323, 354-D and 506, IPC registered at Police Station Sadar Karnal, District Karnal.

Learned counsel for the petitioner contends that this is the third complaint which has been made by the complainant against the petitioner and the first complaint was made against his brother, the second one against the petitioner and the complainant is inimical and had got this FIR lodged after his brothers have been granted bail by this High Court. The counsel urges that the allegations are not true and the complainant's daughter is in relation with another boy namely Sandeep which would be evident from the photographs placed on record and the attempt is to pressurize the petitioner not to expose their relations. The counsel urges that the mobile chip is already in possession of the Women Police Station and no recovery is to be effected.

The allegations in the FIR are that the accused followed the daughter of the complainant who got on a motorcycle driven by Sandeep. The petitioner is alleged to have stopped Sandeep on the way and had snatched his mobile and had taken his chip and had copied all the contacts and thereafter called up the daughter

of the complainant and also threatened her asking them to settle the case registered against him.

Learned State counsel submits that the petitioner is involved in 21 other cases though no conviction has been recorded. It was stated that those cases were theft cases.

The petitioner is not a previous convict. The allegations here are under Sections 354-D, 379-A, 323 and 506 IPC.

The petitioner has joined the investigation, his custodial interrogation is not required. The petition is allowed and interim order dated 17.06.2016 is hereby made absolute subject to the condition that the petitioner will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation and will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C. and with a rider that the petitioner would stay away from the complainant's daughter and will not call her himself or through some one else. If he does so, the police/complainant can approach the Court for cancellation of bail.

August 05, 2016

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**(ANITA CHAUDHRY)
JUDGE**

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No