

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.25309 of 2016 (O&M)

Date of Decision: 04.08.2016

Ram Rattan

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Dimple Jain, AAG, Punjab,
counsel for the respondent-State.

Mr. Vijay Saini, Advocate
for the complainant.

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ANITA CHAUDHRY, J.

The petitioner has filed this petition seeking anticipatory bail in FIR no.42 dated 04.07.2016 registered under Sections 354-A, 354-D, 500, 506, 34 IPC (Offence under Section 509 IPC and Section 67(A) of I.T. Act added later on) at Police Station Women, District Rohtak.

Counsel for the petitioner contends that the petitioner has been implicated because of his association with the main accused Krishan Lal who has a dispute with the husband of the complainant and main accused Krishan Lal has been granted anticipatory bail by the Additional Sessions Judge. It was urged that the Additional Sessions Judge had dismissed the

application as Section 67-A of the I.T. Act was added later on and this Section is not applicable.

The complainant side has appeared and opposed the application. They have produced the photographs which were being circulated. The State counsel also has the same set of naked/obscene photographs of the victim. The victim is an employee of the D.C. Office. A CD was sent to the brother in law of the victim. There is a recorded conversation between Krishan and one more person regarding delivery of the obscene photographs and the video to the brother in law of the complainant.

The allegations against the petitioner are that he clicked her photographs while they were sitting in a colleague's vehicle and thereafter the photographs were morphed and videos were prepared and they were sent by post and distributed in the village with an intention to defame and insult her and thereafter, threats were given to her husband. During investigation, the police has added Section 509 and Section 67-A of the I.T. Act. Custodial interrogation is necessary. Recovery is to be effected. No case for anticipatory bail is made out.

The petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

04.08.2016

Sunil

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No