

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

Crl. Misc. No.M-27436 of 2016

Date of decision : 19.08.2016

Krishan Lal

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rakesh Nehra, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Mr. Naveen Gupta, Advocate
for the complainant.

ANITA CHAUDHRY, J.

The petitioner is seeking anticipatory bail in FIR No.42 dated 04.07.2016, registered under Sections 354-A, 354-D, 500, 506, 509, 34 IPC and Section 67-A of the I.T. Act, Women Police Station Rohtak, District Rohtak.

Counsel for the petitioner contends that the Additional Sessions Judge had allowed anticipatory bail and though the allegations were same but later on the police has added Section 67-A of the IT Act and the Additional Sessions Judge has dismissed the application. It was urged that the petitioner was ready to hand over the mobile phone and was ready to co-operate and the case was registered against him as there was an old enmity.

Counsel for the petitioner further urges that three months prior to this incident a case had been registered against the petitioner and husband of the complainant under Section 160 IPC.

The complainant side has appeared and both the State and the complainant side have opposed the bail application. It was urged that the petitioner was the main accused and they have the photographs which were circulated. Counsel states that the bail application of co-accused Ram Rattan has been dismissed by this Court. It was urged that the victim is an employee of Deputy Commissioner's Office and a vulgar C.D. was sent to the brother in law of the victim and there is a recorded conversation between the petitioner and one more person regarding delivery of the photographs & the video to the brother in law of the complainant.

The petitioner used to travel in a colleague's vehicle after work. The allegations were that her photographs were taken which were later on 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 when confronted threats were given to her husband. During investigation, the police has added Section 509 IPC and Section 67-A of the I.T. Act. The allegations against the petitioner are serious. Custodial interrogation would be necessary. Recovery is to be effected. No case for anticipatory bail is made out.

The petition is dismissed.

19.08.2016

sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No