

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

**Crl. Misc. No.M-43796 of 2016 (O&M)
Date of decision : 23.12.2016**

Ravinder Kumar

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Navneet Singh, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Punjab.

Mr. Vipul Aggarwal, Advocate
for the complainant.

ANITA CHAUDHRY, J(ORAL)

CRM-40732-2016

For the reasons set out in the application, same is allowed as prayed for and accompanying documents (Annexure P-2 & P-3) are allowed to be taken on record.

Crl. Misc. No.M-43796 of 2016

The petitioner is seeking anticipatory bail in FIR No.62 dated 05.06.2016, registered under Sections 354(D), 379-A, 506 IPC, Section 25 of the Arms Act and Section 3 of SC&ST Act, Women Police Station, Mewat, District Mewat.

Counsel for the petitioner contends that the petitioner and the prosecutrix were in a relationship since 2012 but the relationship ended and the petitioner got married in 2014 but the complainant wanted to continue with the relation and had gone with the petitioner to a hotel in Jaipur. He refers to Annexure P-2 and Annexure P-3. The counsel further submits that Section 379-A IPC and Section 25 of the Arms Act had been deleted and Section 354-D IPC is bailable. The counsel further submits that the petitioner is in the army and the allegations are against Maahut.

The State counsel had handed over the statement made by the girl under Section 164 Cr.P.C.

The counsel for the complainant has placed on record the statement given by the petitioner where he has mentioned that the complainant was his wife.

The complainant had mentioned in her statement that the petitioner had morphed her photographs and was forcing himself upon her. The counsel for the complainant states that the sim card will have to be recovered to see that he is in touch with a number of girls and had violated them and the girls are not coming forward to speak against him on account of the mind set of the society.

The State counsel says that custodial interrogation is necessary to effect recoveries.

The petitioner is a married person. He was pursuing an unmarried girl. The allegations are serious. It is only after the recovery of the mobile phone and the material that police will be able to see any other

sections under the Information Technology Act are attracted. The petitioner is an army personnel and his conduct has not been above board. No case for anticipatory bail is made out.

The petition is dismissed.

23.12.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No