

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

Crl. Misc. No.M-6876 of 2016

Date of Decision: 06.05.2016

Raju

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Ms. Mansi Bansal, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.132 dated 13.12.2015 registered under Sections 354, 354-A(1), 354(B), 452 and 120-B IPC at Police Station Rampura, District Bathinda.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case on the basis of vague allegations, whereas, no offence is made out against him. Both the petitioner as well as complainant are neighbours and some dispute arose between them. Nothing is to be recovered from the petitioner and he is ready to join the investigation.

Learned counsel for the respondent-State submits that the petitioner is a habitual offender as many complaints are pending against him and two more FIRs i.e one under Section 325 IPC and the other under NDPS Act are also pending against him.

Heard the arguments of learned counsel for the parties and have also perused the allegations levelled in the FIR as well as other documents available on the file.

At this stage, only the allegations levelled are to be considered and it cannot be said as to whether these are correct or not. Specific allegations are there against the petitioner that he entered into the house of the complainant, molested her and even tried to undress her. Simple saying that nothing is to be recovered from the petitioner, is not sufficient to grant anticipatory bail to the petitioner and the nature of offence is to be considered as well.

No ground is made out to grant anticipatory bail to the petitioner. The petition is accordingly dismissed.

However, in case, the petitioner surrenders before the trial Court and moves an application for grant of regular bail within a period of one week from the date of receipt of certified copy of this Order, the trial Court is directed to decide the same in accordance with law within a period of one week thereafter.

06.05.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE