

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

CRM No. M-25265 of 2017 (O&M)

Date of Decision: 18.09.2017.

Sumer Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Vivek Khatri, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG Haryana.

Complainant in person with
Mr. Aditya Sanghi, Advocate.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438 Cr.P.C seeking bail in case FIR No.340 dated 13.04.2017, registered under Sections 323, 376, 406, 450 and 506 IPC and Section 3(i) (XII), 3(1)(W) of the Scheduled Castes and the Scheduled Tribe (Prevention of Atrocities) Act, 1989 at Police Station Civil Lines, District Hisar.

It is contended that the petitioner has been falsely implicated in the present FIR. In fact, no rape has been committed. It was a money dispute which has been given the colour of criminal proceedings so as to exert pressure upon the petitioner.

On the other hand, the learned State counsel opposes the bail application. He submits that even a statement was made before the trial Court that the petitioner was not required for custodial interrogation. However, in view of the FSL report, photocopy of which

is taken on record as Mark-A, the petitioner is now required for custodial interrogation and subsequently, a complaint has been received wherein it is alleged the petitioner has been pressuring the complainant to withdraw the FIR and he has been impressing upon some lady Sudesh who has been trying to contact the complainant on his behalf. Her statement in this regard has been recorded by the I.O on 06.09.2017.

Learned counsel for the complainant submits that the complainant is receiving threatening calls from the petitioner to withdraw the FIR.

Heard.

Considering the report of FSL and the fact that a subsequent complaint has been received in which it is alleged that the petitioner has been pressuring the complainant to withdraw the FIR and taking into consideration the fact that the custodial interrogation of the petitioner is required, this Court is not inclined to grant the concession of anticipatory bail at this stage.

Consequently, the petition is dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

18.09.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No