

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

CRM-M-25838 of 2017(O&M)

Date of decision : 06.11.2017

Vijay Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Aayush Gupta, Advocate
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

Mr. Piyush Bansal, Advocate
for the complainant.

LISA GILL,J(Oral)

Petitioner seeks the concession of anticipatory bail in FIR No.66 dated 28.04.2017, under Section 354 IPC (Section 354-A IPC added lateron), registered at Police Station Sarabha Nagar, District Police Commissioner Ludhiana.

Petitioner is the stepfather of the complainant. It is submitted that litigation is pending between the petitioner and his wife i.e. the complainant's mother. A civil suit was filed by the petitioner's father-in-law and sister-in-law prior to the registration of this case. A complaint filed in respect to the incident in question, which is alleged to have taken place on 04.10.2016 was investigated by the Incharge Women Cell, Ludhiana and the matter was filed. The present FIR was thereafter registered pursuant to a subsequent inquiry conducted by the Assistant

Commissioner of Police, Ludhiana. It is submitted that the petitioner has been falsely implicated in this case due to pending litigation between the petitioner and the complainant's mother/her family. Moreover, the petitioner, who is not involved in any other criminal case has since joined investigation pursuant to order dated 10.08.2017. Therefore, it is prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Jitender Singh, verifies the pendency of litigation between the petitioner and his wife i.e. the complainant's mother/her family as mentioned above. It is further verified that the petitioner has joined investigation pursuant to order dated 10.08.2017. He is not reported to be involved in any other criminal case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances as above, but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 10.08.2017, is made absolute.

06.11.2017

s.khan

(LISA GILL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable:Yes/No