

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

**CRM-M-41817-2017
Date of decision-07.11.2017**

Sameer Suman

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Anmol Verma, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Criminal Procedure Code has been filed for grant of anticipatory bail to the petitioner in FIR No.628 dated 10.06.2016 registered under Sections 328, 354-D, 376 and 506 of the Indian Penal Code (in short 'IPC') at Police Station Chandni Bagh, District Panipat.

Contentends that the petitioner has been falsely implicated in the present case. He further contends that the incident took place on 15.08.2011 at Panipat whereas he was present at Ambala with his unit staff and remained there up to 28.08.2011. The present FIR has been registered at the behest of ASI Raj Singh who in connivance with the prosecutrix laid honey trap for extortion of money.

I have heard learned counsel for the petitioner and have gone through the case file.

This is the second bail petition. The first petition for grant of anticipatory bail was dismissed as withdrawn, vide order dated 04.10.2017.

At this stage, the petitioner has taken the plea of *alibi* which can be tested by

the trial Court at appropriate stage after leading the evidence. Allegedly the obscene video was prepared by the petitioner and he sent the same to one Sanjay who is resident of Village Rasalu, District Panipat.

This Court feels that it is a fit case where custodial interrogation of the petitioner is required to unearth the truth.

In view of the specific allegations of rape and preparation of obscene video of the victim, no case for grant of anticipatory bail is made out.

Consequently, bail petition stands dismissed.

Anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

07.11.2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No