

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

**Crl. Misc. No.M-15110 of 2018 (O&M)
Date of Decision: May 22, 2018**

Sudesh

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.K. Bishnoi, Advocate
for the petitioner (s).

Mr. Deepak Grewal, DAG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.123 dated 09.03.2018 registered for the offences punishable under Sections 384, 389 read with Section 120-B of Indian Penal Code, at Police Station City Fatehabad District Fatehabad.

Heard.

As per the complainant, he is carrying on private job of acupressure and was receiving calls of a girl for many days. On the date of incident, she gave him a missed call. When he called back, she called him to Ram Niwas Mohalla as she was having urgent work with him. On reaching that house, he met with a lady, who took him inside and started behaving with him in a wrongful manner and in the meanwhile two more ladies and two boys came to the spot and started beating him and levelled the

allegations that complainant had raped that lady and tried to undress the complainant. On his request not to do so, they demanded ₹2 lakhs under the threat that if this amount was not paid, they will implicate him in a rape case. While releasing him, they kept his two mobile phones, Aadhaar Card and also snatched ₹18,000/- from him. Complainant was asked to arrange ₹1 lakh till morning to avoid his implication in rape case. Matter was reported to the police and two accused namely Suman and Subhash were arrested from the spot.

Learned State counsel submits that petitioner has been named by Subhash and Suman during investigation as their associate. Petitioner has joined the investigation, which is still in progress and her custodial interrogation is no more required for the purpose of further investigation.

Keeping in view the above facts and submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and order dated 25.04.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make herself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against her so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court;
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

May 21, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No