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

CRM-M-48838-2019

Date of Decision: 27.11.2019

Reeta Rani

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Lakhvinder Singh Dandiwal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in a case FIR No.58 dated 13.11.2018, under Section 67 of the Information and Technology (Amended) Act, 2008, registered at P.S. Garhdiwala, District Hoshiarpur.

The FIR in the present case was registered on the statement of complainant Sandeep Singh, wherein it was stated that Mandeep Singh brother of complainant was serving in Indian Army and he came in contact with accused Reeta Rani on facebook. On 26.07.2018, Mandeep Singh came to his house on leave and on 28.07.2018 said Reeta Rani met Mandeep Singh at Coffee House, Mukerian and thereafter, she started blackmailing Mandeep Singh, alleged her pregnancy and threatened that she would take action against him. On 14.08.2018, Mandeep Singh stopped talking with Reeta Rani.

Learned counsel for the petitioner contends that the present FIR

has been lodged by complainant Sandeep Singh, who is brother of Mandeep

Singh, accused in FIR No.156 dated 13.11.2018, which was registered upon a complaint given by the petitioner for the offence punishable under Section 376 IPC, wherein the charges have been framed against Mandeep Singh on 16.09.2019. He submits that it would be a matter of trial if the allegations contained in the FIR No.156 dated 13.11.2018 were true or not. He submits that the allegations in the FIR No.58 dated 13.11.2018 are regarding blackmailing and for the same, custodial interrogation of the petitioner may not be necessary.

Learned State counsel assisted by ASI Parminder Singh has opposed the prayer on the ground that the petitioner had blackmailed accused Mandeep Singh, brother of the complainant, however, it is not disputed that after investigation, the final report stands submitted and the trial is pending in FIR No.156 dated 13.11.2018.

Considering the above facts, it is ordered that in the event of arrest of the petitioner by the Arresting Officer, she shall be released on bail subject to her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. She shall join the investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438 (2) Cr.P.C. The above order shall not be construed as an opinion on the merits of the case.

The petition is allowed.

27.11.2019

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No