

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRM-M-64750-2018

Date of Decision:02.05.2019

Sanjeev Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Harish Mehla, Advocate,
for the petitioner.**

Ms. Mahima Yashpal, A.A.G., Haryana.

**Mr. B.B.S. Randhawa, Advocate for
Ms. Mandeep Kaur, Legal Aid Counsel,
for the complainant.**

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in FIR No.73 dated 06.12.2018 under Sections 323, 324, 376, 377, 506 IPC, registered at Women Police Station, Panchkula.

The aforesaid FIR was registered at the behest of one Suman with the allegation that the petitioner has been deceiving her on the pretext of getting married and he developed physical relations with her.

Learned counsel for the petitioner has argued that in fact the petitioner has falsely been implicated in the case. He has given money to the complainant and since she is not returning the said amount, for this reason, the present FIR has been registered against the petitioner.

Learned State Counsel, on instructions from ASI Sunita, submits that the petitioner has been exploiting the complainant on the pretext of marriage and in view of the law laid down by the Hon'ble Apex Court in Criminal Appeal No.629 of 2019, titled as “**Anurag Soni Versus State of Chhatisgarh**”, decided on 09.04.2019, petitioner does not deserve the concession of anticipatory bail.

Heard learned counsel for the parties.

The allegation against the petitioner is that he has been sexually exploiting the complainant on the pretext of marriage. The argument of the learned counsel for the petitioner that the complainant has sworn a statement on 29.09.2018 to the effect that she made complaint against the petitioner because of some misguidance, has no relevance at this stage as the FIR in question was registered much after the said statement. The statement was made on 29.09.2018 and the present case was registered on 06.12.2018.

Having recourse to the judgment passed by the Hon'ble Apex Court in **Anurag Soni's case (supra)**, no ground to grant anticipatory bail to the petitioner is made out.

Dismissed.

May 02, 2019
seema

(HARI PAL VERMA)
JUDGE

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