

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

**CRM-M-11568-2020 (O&M).  
Date of Decision: August 05, 2020**

SUSHIL KUMAR ..... Petitioner(s)

**Versus**

STATE OF HARYANA ..... Respondent(s)

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr. Parminder Singh, Advocate  
for the petitioner.

Mr. Anmol Malik, DAG., Haryana.

**LISA GILL, J.**

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 20 dated 16.02.2020, under Sections 376, 376(2)(N), 328 IPC and 67(A) of the I.T. Act, Police Station Women Ambala, District Ambala.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this matter, registered at the instance of the alleged victim, who is a 43 year old married lady, having one child. It is further submitted that the allegations in the FIR are not believable and are opposed to all probabilities. It is not possible that the alleged victim would have waited for nearly two years to lodge a complaint. Moreover, the petitioner, it is submitted, has joined investigation. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from DSP Madan Lal, affirms that the petitioner has joined investigation and his custodial interrogation is not required. Recovery of a mobile phone and a motorcycle has

been effected. It is further verified that he is not involved in any other criminal case.

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 22.05.2020 is made absolute. Needless to say, the petitioner shall comply with the conditions stipulated under Section 438(2) of Cr.P.C.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

**August 05, 2020**  
*Sunil*

**(LISA GILL)**  
**JUDGE**

Whether speaking/reasoned: Yes/No  
Whether reportable: Yes/No