

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

**CRM-M- 762-2021 (O&M)
Date of Decision: 01.09.2021
(Heard through VC)**

Rajat Verma

... Petitioner

VERSUS

State of Punjab

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. Varun Goyal, Advocate
for the petitioner.

Mr. A. S. Gill, Sr. DAG, Punjab
for respondent State.

Mr. Gourav Bhaiya Gilhotra, Advocate
for the complainant.

JAISHREE THAKUR, J.(Oral)

1. This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 206 dated 16.12.2020 under Sections 376 and 506 IPC registered at Police Station Tibba, District Police Commissionerate, Ludhiana.

2. By an order dated 08.01.2021 a co-ordinate Bench while taking note of the contentions raised there had allowed the petitioner to join investigation. The co-ordinate Bench had also noted that there was no medical evidence to support the claim of the complainant on the allegation of rape, apart from noting that the petitioner and the complainant were in a

consensual relationship.

3. An appearance has been caused on behalf of the complainant and certain documents have been placed on record through Crl. Misc. No.24320 of 2021.

4. Learned counsel for the complainant vehemently argued that the petitioner has abused a minor girl aged 15 years of age who had lost her father, while further contending that there is medical report available on the record to substantiate the fact that she had been abused under the false promise of marriage.

5. Learned State Counsel, on instructions from ASI Baldev Singh, would contend that pursuant to the order passed, the petitioner has joined investigation and his custodial interrogation would not be required. On the asking of the Court, learned State counsel informed that the FSL report has been made available, which reads as 'negative'.

6. I have heard learned counsel for the parties and have also perused the paper-book with their assistance and in view of the fact that the matter stands investigated, I deem it appropriate to dispose of the present application i.e. CRM-24320-2021 along with the main petition. However, while confirming the anticipatory bail, the contention of learned counsel for the complainant is also noted that the petitioner herein is harassing the complainant by filing frivolous complaints against her, which statement is countered by the learned counsel for the petitioner stating that the complaints have been filed on account of complainant's misbehaving herself and entering the house of the petitioner herein.

7. Be that as it may, the State will look into the genuineness of the

complaints filed.

8. Since the matter has been investigated qua the petitioner and the petitioner is not required for custodial interrogation after having joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 08.01.2021 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

9. Other miscellaneous applications, if any, pending on date are also disposed of accordingly.

01.09. 2021

(JAISHREE THAKUR)

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JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No