

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

218

**CRM-M-6467-2021(O&M)
Decided on : 01.09.2021**

VISHU KUMAR VIJ

. . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Vishal Aggarwal Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG Haryana
assisted by ASI Sumanlata.

Mr. P.S. Dhaliwal, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.143 dated 23.12.2020 under Sections 313, 376 and 506 of the IPC registered at Women Police Station Ambala.

Learned counsel for the petitioner submits that pursuant to order dated 11th February 2021 passed by this Court, the petitioner has joined investigation and has co-operated with the investigating agency, hence the interim order dated 11th February 2021 be made absolute.

It is the case of the petitioner that both he and the complainant, who admittedly is an adult, were in a consensual relationship. He has

invited the attention of this Court to Annexure P-2, which is a complaint given by him against the complainant on 03rd October 2020 i.e., prior to the lodging of the FIR in question, wherein he alleged that the complainant had been threatening and blackmailing him time and again. Learned counsel submits that both the complainant and the petitioner were in a live-in relationship which stands fortified not only from Annexure P-2 which was given to Women Police Station, Police Lines Ambala City but also from Annexure P-3, which is the statement given by the complainant herself on 04th October 2020 wherein she also admitted to being in a live-in relationship with the petitioner.

Learned State counsel assisted by learned counsel for the complainant, on instructions from ASI Sumanlata submits that though the petitioner has joined the investigation however subsequent to the interim bail having been granted to the petitioner vide order dated 11.02.2021, an FIR No.141 dated 21.05.2021 under Section 354-D has been registered against the petitioner at the instance of the complainant.

Learned counsel appearing for the petitioner has submitted that he has already approached this Court by way of CRM-M-29554-2021 seeking transfer of the investigation in FIR No.141 dated 21.05.2021 because in the FIR in question, the petitioner was not even at the spot and the allegations were that one person stated to be an acquaintance of the petitioner had been stalking the complainant. Learned counsel submits that the complainant for reasons but obvious has yet again filed a false case against the petitioner on account of a grudge which she is nursing as the relations between them turned sour.

In view of the above, the petition is allowed and interim order dated 11th February 2021 is made absolute subject to the conditions laid down in Section 438(2) CrPC.

(MANJARI NEHRU KAUL)
JUDGE

September 01, 2021
S.Sharma(syr)

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