

**222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-29268-2021 in/&
CRM-M-17602-2021
Decided on : 10.09.2021

Manoj

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ganesh Chand Sharma, Advocate
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

Mr. S.K.Panwar, Advocate
for the complainant.

Manjari Nehru Kaul, J.

CRM-29268-2021

This is an application under Section 482 Cr.PC for placing on record the written letter, video messages and screenshots of whatsapp messages sent by the complainant.

Application is allowed and the documents annexed with the application are taken on record subject to all just exceptions. Office to tag the same at appropriate place.

Main case

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.19 dated 02.04.2021 under Sections 376, 452 and 506 IPC 1860 registered at Police Station Women District Palwal.

Vide order dated 27.04.2021, this Court had stayed the arrest of the petitioner by observing as under:

“Learned counsel for the petitioner contends that the petitioner, who is 21 years old, was in a relationship with the complainant, who is married. After the husband of the complainant came to know of the relationship, he had forced the complainant to file the complaint. He has referred to the copies of the whatsapp chat which are annexed at Annexures P-4, P-5, P-6 and P-7 in support of his submission that the petitioner and the complainant were in a consensual relationship. The complainant has herself sent a message on 01.04.2021 that she is being forced to file the complaint.”

Learned State counsel on instructions from ASI Munni has apprised the Court that cancellation report has since been prepared and filed before the authorities concerned. He further submits that in the aforementioned facts and circumstances, he has specific instructions from the investigating officer that the custodial interrogation of the petitioner is not required.

In the wake of specific instructions received by the learned State counsel, the petition is allowed and interim order dated 27.04.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

10.09.2021
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(MANJARI NEHRU KAUL)
JUDGE

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