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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.24213 of 2021 (O&M)
Decided on: 02.08.2021

Saniya

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Neeraj Sheoran, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 206 dated 22.03.2021 under Sections 384, 388 and 389 of the IPC, registered at Police Station Quilla Panipat, District Panipat, Haryana.

The operative part of the order dated 28.06.2021, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner submits that the FIR was registered at the instance of one Balidan, who has stated that the petitioner has got a false FIR of rape registered against his son namely Sunil in the Women Police Station, Panipat on 04.03.2021 under Section 376(2)(n) of the IPC. It is further stated that on 04.03.2021, the petitioner called him on his mobile phone stating that she had physical relation with Sunil and wants to marry him but the complainant did not believed the phone call, thereafter, he received a phone call from the

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Women Police Station, Panipat that a case has been registered against Sunil by the petitioner with allegations of rape. Thereafter, the complainant came to Panipat and had a talk with the petitioner, wherein, she demanded Rs.20,00,000/- for withdrawing the case and, therefore, with the allegation of blackmailing the present FIR has been registered.

Learned counsel for the petitioner further argues that the petitioner has been falsely implicated in the present FIR on the basis of a video recording which was made by one Rinku and a pen drive was produced by him to the police on 22.03.2021, whereas, on 18.03.2021 the petitioner has given a complaint to the Superintendent of Police, Panipat for taking legal action against one Shiv Kumar Jogi and 2-3 other persons, who had come to the house of the petitioner on 18.03.2021 in the afternoon and threatened her at a gun point to compromise the matter with Sunil, otherwise they will face dire consequences.

Learned counsel for the petitioner further submits that even a complaint was given to the Quilla Police Station, Panipat on the same day.

Learned counsel for the petitioner further submits that after 04 days, the video recording was given to the police in a pen drive and its originality is yet to be examined by the scientific expert.

Learned counsel for the petitioner further submits that the petitioner, being a victim in FIR No.39 dated 04.03.2021 registered under Sections 376(2)(n) and 506 of the IPC, is trapped in the present case.

Notice of motion....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 28.06.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

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Counsel for the State, on instructions from SI Fateh Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 28.06.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

02.08.2021
yakub

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