

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

CRM-M-35014-2021
Decided on : 09.09.2021

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..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. P.S.Walia, AAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.133 dated 22.06.2021 under Sections 323, 451, 354-B, 506, 148 and 149 IPC registered at Police Station Jamalpur District Ludhiana.

On the last date of hearing, State had been put on notice.

The case of the petitioner was that on account of a trivial dispute between the complainant party and him, FIR in question had been got registered by levelling false allegations against him of indulging in abusive language. It was also submitted that an unbelievable version had been brought forth qua the petitioner that he along with his 10-15 accomplices after entering the house of the complainant had indulged in abusive and inappropriate behaviour.

Learned counsel for the petitioner submits that the allegations were levelled against the petitioner of indulging in inappropriate behaviour with an ulterior motive so as to attract the mischief of Section 354-B IPC.

He further submits that the petitioner has very clean antecedents.

Heard and perused the material available on record.

A perusal of the allegations levelled in the FIR in question makes it abundantly clear that initially an occurrence had taken place between the petitioner and his neighbour i.e. complainant's son, on the street which had resulted in some verbal altercation between them. Besides this, the petitioner had used foul language against the complainant and also assaulted him. Soon thereafter, a second occurrence took place wherein petitioner along with 10-15 of his accomplices barged into the house of the complainant and indulged yet again in abusive and unruly behaviour. The complainant – Neelam Devi rushed to the rescue of her son and son-in-law, who were being assaulted by the petitioner and his accomplices, however, instead of fleeing from the spot, the accused party including the petitioner by indulging in inappropriate behaviour not only tried to disrobe the complainant but also inappropriately touched her on her private parts.

On perusal of the allegations levelled in the FIR in question, it is abundantly clear that the second occurrence which took place inside the complainant's house was prima facie a premeditated attack wherein the petitioner and his accomplices indulged in inappropriate behaviour with the complainant. Hence, the submissions made by learned counsel for the petitioner that the ingredients to attract the mischief of Section 354-B IPC are amiss, is devoid of any merit.

In the circumstances, this Court is not inclined to extend the concession of anticipatory bail to the petitioner in the wake of the

allegations levelled in the FIR in question. Accordingly, the present petition stands dismissed.

09.09.2021
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(MANJARI NEHRU KAUL)
JUDGE

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