

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

**CRM-M-1260-2019(O&M)
Date of Decision: 02.08.2021**

(Heard through VC)

Muskan

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Dr. Puneet Kaur Sekhon, Advocate for the petitioner.

Ms. Rashmi Attri, A.A.G., Punjab.

Mr. Sarfraj Hussain, Advocate for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed for cancellation of concession of anticipatory bail granted to respondent No.2 by the High Court vide order dated 02.08.2018 as passed in CRM-M-14811-2018 in case FIR No.175 dated 03.11.2016 under Section 6 of the POCSO Act and Sections 376 and 506 of IPC registered at PS City Gurdaspur, District Gurdaspur,

Learned counsel appearing on behalf of the petitioner contends that after anticipatory bail had been allowed to respondent No.2, respondent No.2 was continuously threatening the petitioner, who was the complainant under the said FIR. Threat was being extended to her not to depose in the said trial.

Pursuant to the filing of the said petition, notice was issued and a reply has been received by way of an affidavit of Sukhpal Singh,

PPS, Deputy Superintendent of Police, Gurdaspur. As per the reply, matter was investigated and a report has been obtained from SHO, Police Station, Gurdaspur. As per the inquiry got conducted, the complainant and respondent No.2 did not join inquiry. However, preventive action under Sections 107/150 Cr.P.C. has been initiated against respondent No.2, Shoaib and one Aalam by way of DDR No.27 dated 11.05.2019.

At this stage, learned counsel appearing on behalf of respondent No.2-accused, would submit that the allegations are false as on the date that when threat is alleged to have been extended to the petitioner herein, her statement had already been recorded.

I have heard learned counsel for the parties and in view of the fact that in the trial Court the statement of the prosecutrix has already been recorded, no ground is made out to cancel the bail which was allowed to the petitioner.

Needless to say, the private respondent will continue to comply with the conditions of bail.

Petition stands dismissed.

02.08.2021

ps-I

(JAISHREE THAKUR)
JUDGE

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