

**202(1) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**(I) CRM-M-13980-2020 (O&M)
Date of Decision: 10.02.2022.
(Heard through VC)**

Sapna

...Petitioner

Versus

State of Punjab and others

...Respondents

(II) CRM-M-9064-2020 (O&M)

Jaspreet Singh @ Gaurav Bindra

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ankit Kharbanda, Advocate
for the petitioner (in CRM-M-13980-2020) and
for the complainant (in CRM-M-9064-2020) .

Mr. A. S. Gill, Sr. DAG, Punjab.

Mr. Rahul Bhargava, Advocate
for the respondent-accused (in CRM-M-13980-2020) and
for the petitioner (in CRM-M-9064-2020).

JAISHREE THAKUR, J. (Oral)

This Court proposes to dispose of two criminal miscellaneous petitions i.e. CRM-9064-2020 and CRM-M-13980-2020 by a common order, arises out of a common FIR No. 32 dated 24.01.2020 under Section 376 IPC, registered at Police Station Civil Lines Amritsar, District Amritsar.

Learned counsel for the petitioner would contend that the

petitioner has falsely been implicated in the present case and in fact the FIR has been registered after an engagement entered between the parties was broken. It is contended that the petitioner pursuant to the order dated 2nd March 2020 has already joined the investigation and co-operated with the Investigation Officer.

Learned Counsel appearing on behalf of respondent-State submits that the petitioner has joined the investigation and his custodial interrogation at this stage would not be required.

However, learned counsel for the complainant has put in an appearance and filed CRM-M-13980-2020 seeking cancellation of the interim bail granted to the petitioner-Jaspreet Singh @ Gaurav Bindra on the account that the petitioner herein is in the possession of objectionable photographs of the complainant and he is threatening her, in case the FIR against him is not withdrawn, he will uploads all the photographs on the internet.

Whereas, learned counsel for the respondent-State, on the basis of the reply filed by him, would submit that an enquiry was conducted on the allegations as made out by the complainant regarding receiving of threats, but no such incident had ever been reported to the Investigation Officer or the local Police by the complainant. It is also submitted that the matter has thoroughly investigated and the challan stands presented.

I have heard counsel for the petitioner-accused as well as counsel for the complainant and perused the reply filed by the respondent-State.

In view of the fact that the petitioner- Jaspreet Singh @ Gaurav Bindra has joined the investigation and the challan stands presented, his custodial interrogation would no longer be required. Without commenting on the merits of the case, the petition i.e. CRM-M-9064-2020 is allowed and order dated 02.03.2020 granting interim bail to the petitioner- Jaspreet Singh @ Gaurav Bindra is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

As far as the petition filed for cancellation of the bail by the complainant i.e. CRM-M-13980-2020 the same is being disposed of at this juncture as there is nothing placed on the record to show that the petitioner herein is violated any of the terms and conditions of *ad interim* anticipatory bail allowed to him.

However, the complainant is not preclude from filing any petition fresh, is if she would be able to establish that she has been threatened by the petitioner herein.

10.02.2022
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(JAISHREE THAKUR)
JUDGE

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