

213 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-28215-2022  
Date of Decision: 19.09.2022

EISH NARANG

... PETITIONER

V/S

STATE OF UT CHANDIGARH

... RESPONDENT

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. S.K.Garg Narwana, Sr. Advocate with  
Mr. Sandeep Gahlawat, Advocate for the petitioner.

Mr. Rajeev Anand, Addl. P.P. U.T. Chandigarh.

Mr. Mukul Goyal, Advocate for the complainant.

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**VIVEK PURI, J. (ORAL)**

On 15.07.2022 following order was passed in the main case:

“The petitioner is seeking anticipatory bail in case bearing FIR No.94 dated 20.06.2022 under Sections 323/354/354-D/376/420 and 506 IPC registered at Police Station Sector-31, Chandigarh.

Learned Senior counsel for the petitioner contends that the FIR has been lodged on the basis of false allegations. The prosecutrix is aged about 28 years and was in relationship with the petitioner. They came in contact as back as in December, 2019. The allegations of the prosecutrix are to the effect that the petitioner had made physical relation on the false pretext of marriage. Later on, she came to know that the petitioner is married person having two children. It has been further stated that the physical relations were lastly made in the year 2021 and the FIR has been lodged after much delay. Furthermore, on 24.04.2022, General Diary detail was recorded at Police Station Sector 31 Chandigarh, wherein, the petitioner had made a statement that the

dispute has been amicably settled between the parties and in future they will not file any complaint. The said statement has also been endorsed by the prosecutrix. Furthermore, during the period when the petitioner was in relationship with the prosecutrix, he had transferred an amount to the extent of Rs.20 lakh from his account and that of his employee in the account of the prosecutrix. The prosecutrix had also lodged an FIR bearing No.317 dated 23.05.2022 under Section 379 IPC at Police Station Ambala Cantt. with regard to theft of her vehicle. However, no one has been named in the FIR and the allegation with regard to theft of her vehicle is sought to be attributed to the petitioner and his driver. Subsequently, as a result of afterthought and to exaggerate the allegations against the petitioner, the present FIR has been lodged. Even there is nothing to suggest that the physical relations were made some time prior to registration of FIR.

Notice of motion.

Mr. Rajeev Anand, APP for U.T.Chandigarh, accepts notice behalf of respondent. Mr. Mukul Goyal, Advocate, also accepts notice on behalf of the complainant.

Learned counsel for the complainant has mainly opposed the bail application on the score that the petitioner had been passing on some Whatsapp chats and photographs to the relatives of the prosecutrix with an intention to malign her image.

Adjourned to 19.09.2022.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel has not disputed the aforesaid factual aspect as asserted by the learned counsel for the petitioner and further

contends that the petitioner has joined the investigation and his custodial interrogation is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 15.07.2022 is made absolute.

**19.09.2022**

Janki

**(VIVEK PURI)**  
**JUDGE**

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