

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(Through Video Conferencing)

CRM-M-39891 of 2021
Date of Decision:21.2.2022

Aman Sharma

---Petitioner

versus

State of Haryana

---Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. S.S.Duhan, Advocate
for the petitioner

Ms. Tanushree Gupta, DAG, Haryana

MANJARI NEHRU KAUL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.380 dated 4.9.2021 under Section 376 IPC (Sections 406, 509 IPC added later on) registered at Police Station Sector-50, Gurugram District Gurugram.

Learned counsel contends that both the prosecutrix and petitioner, who admittedly are major, met through a dating app 'Tinder' and became acquainted with each other. While inviting the attention of this Court to the contents of the FIR annexed as Annexure P-1, he submits that it is evident that with the passage of time, it was with the consent of the prosecutrix herself both the petitioner and the prosecutrix established physical relations with each other for almost a year. He further submits that a perusal contents of the FIR in question do not even obliquely reflect that at any point in time she had been forced into the said physical relationship with the petitioner. Still further submits that the allegations levelled against the petitioner of being in possession of some video of the prosecutrix also

comes across as totally vague and fabricated as she had herself stated in the FIR that she had never seen any such video and she was just being threatened by the petitioner.

Learned counsel states that pursuant to order dated 30.11.2021, passed by this Court, the petitioner has joined the investigation and co-operated during the investigation.

Learned State counsel on instructions from ASI Lajjo does not dispute the role attributed to the petitioner. She further submits that the petitioner has joined the investigation and co-operated with the investigating agency. She, on further instructions states that the petitioner is not required for further investigation.

In view of the above, the petition is allowed and interim order dated 30.11.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

21.2.2022
PARAMJIT

Whether speaking/reasoned: Yes

Whether reportable : Yes/No