

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

204

(Through Video Conferencing)

CRM-M-44279-2021

Date of decision: 18.02.2022

Dimple Kumar @ Dimpi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.K. Arya, Advocate
for the petitioner.

Mr. Bhupender Beniwal, Asstt. A.G., Punjab
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.166 dated 28.08.2021 under Sections 363 and 366 IPC, registered at Police Station Sujampur, District Pathankot.

Status report by way of affidavit of Ravinder Singh, PPS, Deputy Superintendent of Police, Sub Division Dharkalan, District pathankot on behalf of respondent-State has been filed in the Registry of this Court which is taken on record, subject to all just exceptions.

On the last date of hearing, Learned State counsel had sought an adjournment to verify the authenticity of the submissions made by learned counsel for the petitioner that in her statement recorded under Section 164 Cr.P.C., the victim had not levelled any allegation against the petitioner of any wrong doing.

In compliance of order dated 07.12.2021, Learned State

counsel on instructions has strongly disputed the submissions made by learned counsel for the petitioner. Learned State counsel has stated that learned counsel for the petitioner had made a wrong statement on the last date of hearing qua the victim having not levelled any allegation against the petitioner in her statement recorded under Section 164 Cr.P.C. Learned State counsel has submitted that in fact there was no statement of the victim recorded under Section 164 Cr.P.C. and efforts were still on to trace the victim, who had not yet been recovered. Learned State counsel has also submitted that the victim was below 16 years of age and not 16 years and 07 months as had been submitted by learned counsel for the petitioner.

In the facts and circumstances as enumerated hereinabove, this Court does not deem it appropriate to extend the extraordinary concession of anticipatory bail to the petitioner.

Dismissed.

18.02.2022

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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