

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

212

CRM-M-44381-2021

Date of decision: 23.02.2022

Amit Kumar

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.S.Mamli, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana
for respondent No.1-State.

Respondent No.2 did not appear
despite service.

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.0340 dated 15.09.2021 under Section 67 of the Information Technology (Amendment) Act, 2008 and Section 376 IPC, registered at Police Station Pehowa, District Kurukshetra.

Learned counsel for the petitioner has reiterated the submissions made on the earlier date of hearing that it was on account of a history of animosity between the parties that the FIR in question came to be registered wherein false allegations were levelled against the petitioner of clicking some obscene pictures of the prosecutrix. He submits that it was also a matter of record that soon after the registration of the FIR, the parties had ironed out their differences and also amicably resolved the dispute. Learned counsel further submits that in compliance of order dated 15.12.2021, the petitioner had joined

investigation and cooperated with the investigating agency by handing over the mobile phone from which he had allegedly clicked the said pictures.

Vide order dated 02.11.2021, after the complainant had been impleaded as respondent No.2, notice was issued to her which stands duly served, however, nobody has put in an appearance on her behalf.

Learned State counsel, on instructions, does not dispute the submissions made by counsel opposite. She on further instructions submits that since the petitioner has cooperated during investigation, he is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 15.12.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

23.02.2022

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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