

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

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**CRM-M-44714-2021
Decided on : 17.02.2022**

Ravi Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Prabhdeep Bindra, Advocate
for the petitioner(s).

Mr. Bhupender Beniwal, AAG, Punjab
assisted by ASI Surender Singh.

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. 80, dated 18.05.2021, lodged under Sections 452, 354, 323, 506, 509 & 149 of IPC, registered at Police Station Mehtiana, District Hoshiarpur (annexed as Annexure P-1).

It has been submitted by learned counsel for the petitioner that the alleged occurrence, wherein, the petitioner had allegedly molested the complainant took place on 15th May 2021, however, for reasons but obvious, the FIR was registered after a delay of three days, which clearly hinted at a fabricated and exaggerated version having been put forth by the complainant. He further submits that there was a CCTV footage of the alleged occurrence (annexed as Annexure P-6), which does not even obliquely reveal the commission of an offence as alleged in the FIR in question. It has been further submitted that even the injuries allegedly received by the complainant, in the occurrence in question, were found to be simple in nature. This Court has also been apprised that similarly situated

co-accused have since been extended the concession of interim bail vide orders dated 22.09.2021, 28.09.2021 and 18.10.2021, (Annexures P-10 and P-11)

Learned counsel submits that pursuant to order dated 27th October, 2021, passed by this Court, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel on instructions from ASI Surender Singh, does not dispute the factum of the petitioner having joined investigation. He, on further instructions submits that since the petitioner has joined investigation, his further investigation, much less, custodial interrogation is not required.

Heard.

In the facts and circumstances, as enumerated hereinabove, the petition is allowed and interim order dated 27th October, 2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

February 17, 2022

J.Ram

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