

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-40696-2023 (O&M)

Date of order: 04.10.2023

Sachin Chauhan

.....Petitioner(s)

Vs.

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Jaswinder Singh Arora, DAG Punjab.

Nidhi Gupta, J.

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.35 dated 26.07.2023 registered under Section 376 IPC at Police Station City Kurali, District SAS Nagar, Mohali (Annexure P1).

On 21.08.2023, this Court had passed the following order:-

“Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.35 dated 26.7.2023, under Section 376 IPC, registered at Police Station City Kurali, District SAS Nagar, Mohali.

Learned counsel for the petitioner inter alia submits that after two days of the alleged incident, the complainant has submitted the complaint dated 23.7.2023 to the SHO, Police Station City, Kurali by leveling allegations that on the pretext of giving job, the petitioner alongwith one another person picked her up in a car and reached at a hotel and committed wrongful act with her. Learned counsel further contends that the

prosecutrix is a habitual in filing the false complaints under Section 376 IPC against different persons and running a racket of honey trap to extort money in connivance with one Dilharjeet, his wife Pardeep Kaur Dhaliwal, who are practicing Advocates at Ropar and other persons.

Notice of motion.

On asking of the Court, Ms. Kanica Sachdeva, AAG, Punjab accepts notice on behalf of respondent-State and seeks time to file detailed status report in the matter.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join the investigation. Meanwhile, no coercive steps shall be taken against the petitioner till the next date of hearing.”

Learned State Counsel files status report by way of affidavit of Dharamvir Singh PPS, Deputy Superintendent of Police, Sub-Division Kharar-II, District SAS Nagar (Mohali) dated 04.10.2023, which is taken on record and copy of the same is supplied to counsel opposite.

Learned State Counsel on instructions from ASI Sukhdev Singh states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 21.08.2023 granting interim bail to the petitioner is made **absolute**.

However, the petitioner shall abide by following conditions:-

- i) He shall join the investigation as and when required by the Investigating Officer.
- ii) He shall not offer any threat, promise or inducement to any person acquainted with the

facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and

- iii) He shall not leave the limits of this country without prior permission of the Court.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

04.10.2023
Sunena

(Nidhi Gupta)
Judge

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