

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

205

CRM-M-50677-2019

Date of Decision: 09.01.2023

Ritu Devi

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Ms. Amanpreet Kaur, Advocate for
Mr.Narender Pal Bhardwaj, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Mr. Sumit S. Bairagi, Advocate
for respondent No.2.

JAGMOHAN BANSAL, J. (Oral)

The petitioner, through instant petition under Section 439(2) of Code of Criminal Code, 1973 is seeking cancellation of anticipatory bail granted to respondent No.2 in FIR No.409 dated 22.08.2019 registered at Police Station Indri, District Karnal, under Sections 354-A(1)(iv) and 354-D of IPC and Section 8 of POCSO Act.

Learned counsel for the petitioner would submit that the petitioner has threatened the prosecutrix, thus, anticipatory bail granted to respondent No.2 needs to be cancelled.

Learned State counsel on instructions from Lady ASI Parvesh Kumari, would submit that *challan* stands presented, charges stand framed and victim has already been examined. The respondent after grant of anticipatory bail was released on regular bail. She further submits that there is nothing on record disclosing threat perception to the prosecutrix especially when she has already been examined.

In view of the fact that *challan* has already been presented; charges stand framed; prosecutrix stands examined; there is no direct evidence of threat to prosecutrix and furthermore, respondent has already been released on regular bail, the present petition in the present form is not sustainable. Accordingly, the petition is dismissed.

(JAGMOHAN BANSAL)
JUDGE

09.01.2023
anju

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>