

224 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-368-2024
Date of decision: 29th February, 2024

Varun Vij

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. G.S. Sandhu, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG, Punjab.
Mr. S.S. Randhawa, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.184 dated 07.12.2023 registered under Sections 452/354/427/506 of Indian Penal Code, 1860 at Police Station City Batala.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of complainant ‘S’ (name withheld) statement recorded, alleging therein that the petitioner used to harass her from some time. In this regard, she had moved a complaint earlier which was pending before DSP CAWC, Batala. On 06.12.2023, at about 11:00 AM, she was present in her house when the petitioner reached there while carrying a baseball. He entered into her room

directly and while extending threat to her to withdraw the complaint filed against him and otherwise, he would kill her and after physically assaulting her and pulling her t-shirt, he fled away when her father reached there after hearing the rescue alarm raised by her. She alleged that while going away the petitioner damaged the glass of her activa vehicle as well as window. After registration of FIR, investigation proceedings have been initiated and are going on.

3. The instant petition has been filed by the petitioner seeking pre-arrest bail on the ground that he has been falsely implicated in this case. Infact, the complainant and himself were friends from the last three years and she had even expressed love for him. They used to remain in contact with each other through whatsapp chats and mobile phone calls and had even took several photographs together. The petitioner had gone to America in June, 2023 and at that time, the complainant had even made an attempt to commit suicide. She had been compelling him to perform marriage with her but as the petitioner was not settled that is why he had told the prosecutrix that she could not perform marriage at that stage. It is submitted that he has been falsely implicated in this case. The incident as narrated did not take place. His custodial interrogation is not required. He is ready to join the investigation.

4. Vide order dated 08.01.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

5. Learned State counsel states that the petitioner has joined the investigation and he is not required for custodial interrogation.

6. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 08.01.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

29th February, 2024

Parveen Sharma

1. Whether speaking/ reasoned

2. Whether reportable

[MANISHA BATRA]

JUDGE

:

:

Yes / No

Yes / No