

2024:PHHC:011998

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

210 **CRM-M-52717-2023 (O&M)**
Date of Decision: 30.01.2024

Ravikant SharmaPetitioner

Versus

State of HaryanaRespondent

CORAM: HON’BLE MR.JUSTICE SUMEET GOEL

Present:- Mr.Keshav Partap Singh, Advocate and
Mr. Rajat Singh Gill, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

Mr. Anshuman Dalal, Advocate, for the complainant.

SUMEET GOEL, J. (ORAL)

1. On 17.10.2023, the following order was passed:-
- “1. The petitioner is seeking anticipatory bail in the case bearing FIR No.92 dated 19.09.2023 under Section 376 IPC registered at Women Police Staiton, Rohtak, District Rohtak.*
- 2. Learned counsel for the petitioner contends that the prosecutrix is a mature lady aged about 27/28 years and the relationship between the petitioner and the prosecutrix was consensual. The relationship had turned sour. The prosecutrix started black-mailing the petitioner and raised a demand of Rs.20 lac failing which she threatened to involve the petitioner in false case. The demand was reduced to Rs.17 lac. The petitioner had lodged an FIR no. 116 dated 10.04.2023 under Section 384 IPC registered at Police Station IMT Rohtak, Annexure P-1, against the prosecutrix. Her arrest was effected and a sum of Rs. 2 lac was recovered from her. She was released on bail on 18.08.2023.*

Subsequently, as a counter blast, the present FIR has been lodged after a period of one month on 19.09.2023. Even the allegations with regard to commission of sexual intercourse on the false pretext of marriage pertain to 12.03.2023.

3. Notice of motion.

4. Mr. Ranvir Singh Arya, Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State and seeks adjournment to get instructions and submit the reply in the matter.

5. Adjourned to 19.12.2023.

6. In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

2. Learned State counsel, on instructions from ASI Rekha, has stated that pursuant to the order dated 17.10.2023, the petitioner has joined investigation and is no longer required for custodial interrogation. However, learned counsel for the complainant has vehemently opposed the grant of bail on the ground that the matter in hand is very serious and it requires custodial interrogation of the petitioner.

3. In view of above, the interim order dated 17.10.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

4. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.

6. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

January 30, 2024
poonam

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