

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

CRM-M-30455-2015

Date of decision: October 14, 2015

Nitin

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. Balraj Gujjar, Advocate for the petitioner.

Dr. Sushil Gautam, DAG, Haryana.

**Rajan Gupta, J.**

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Sections 376(2), 386 and 506 IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Bawani Khera, District Bhiwani, vide FIR No.317 dated 20.09.2014.

Learned counsel for the petitioner submits that petitioner is innocent and has been implicated falsely in the present case. He submits that present is the case of consent on the part of the prosecutrix, thus, petitioner is entitled to the concession of bail.

Learned State counsel has opposed the prayer on the ground that allegations against the petitioner are serious. He submits that petitioner committed rape upon the prosecutrix and also clicked her nude photographs with his mobile phone. Thereafter, he started blackmailing the prosecutrix for money. Thus, petitioner does not deserve the

concession of bail.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was lodged on the complaint made by Lalita daughter of Sajjan Kumar alleging that on 9.7.2012, petitioner called her at the house of his brother-in-law Hem Raj through Guddi, sister of Hem Raj on the pretext that Rekha wife of Hemraj was calling her. When she reached there, petitioner committed rape upon her and also clicked her nude photographs with his mobile phone. Under the threat of uploading the photographs on internet, petitioner kept on committing rape upon the prosecutrix. After that, he started blackmailing the prosecutrix for money. Even after her marriage, petitioner kept on blackmailing and raping the prosecutrix. On 19.9.2013, prosecutrix tried to commit suicide by hanging from a ceiling fan. This was noticed by her father and all family members gathered there. While crying, prosecutrix narrated the whole story to her father. Thereafter, she alongwith her father lodged the instant FIR.

Keeping in view serious nature of the allegations, I am of the considered view that petitioner is not entitled to bail. There are direct allegations of rape and blackmailing against the petitioner. The petition is devoid of merit and is hereby dismissed.

**(RAJAN GUPTA)**  
**JUDGE**

October 14, 2015  
'Rajpal'