

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

**CRM-M-44468-2018 (O&M)**

**Date of Decision: 25.10.2018**

Gurpartap Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

**CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY**

Present: Mr. Himanshu Puri, Advocate  
for the petitioner(s).

Mr. Jagmohan Ghumman, D.A.G., Punjab.

Mr. Jagjit Singh, Advocate  
for the complainant.

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**ANITA CHAUDHRY, J**

Petitioner is seeking anticipatory bail in case FIR No.71 dated 20.08.2018 registered under Sections 376 IPC, 1860 and Section 67-D of Information and Technology Act 2000 at Police Station Begowal, District Kapurthala.

Learned counsel for the petitioner contends that the complainant and the petitioner were in a live-in-relationship for the last 4 years and the complainant had claimed that she was a divorcee and she had shown a Panchayati Talaknama (Annexure P2). Counsel states that when the husband came to know, he created a scene and the petitioner confronted the complainant with the documents and now he has been falsely implicated.

Counsel submits that the petitioner is 100% disabled as he has polio in both

the legs and is completely dependent and he is not in a position to make video. Counsel states that the recording is by the complainant herself and she had circulated the video prepared by her and the petitioner had not circulated any video.

The bail application is opposed by the complainant as well as the State.

Learned counsel for the complainant states that the petitioner is a small time Godman and the complainant had gone to meet him as she was having disputes with her husband.

It is stated that the witnesses who had received the *whatsapp* video have made a statement that it was the petitioner who sent the video and the complainant is having dispute with her husband and was living with the father and the accused has forged documents.

The petitioner is accused of preparing forged documents and circulating obscene video. The CD which has been handed over to the police, was played on the previous hearing and is obscene. It is not a fit case for anticipatory bail. Recovery is to be effected. Custodial interrogation would be required.

The petition is dismissed.

**October 25, 2018**

*ps-I*

**(ANITA CHAUDHRY)  
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No