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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
10/11/2018 11:58
I attest to the accuracy and
authenticity of this document

CRM-M-49510-2018 (O/M)
Date of decision : 9.11.2018

Keshav Sanghi

..... Petitioner (s)

Versus

State of Haryana

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mrs. Baljit Mann and Mr. Rahul Vats, Advocates,
for petitioner.

Mr. Amrik Narwal, DAG Haryana.

Mr. Sunil Chadha, Senior Advocate, with,
Mr. Lokesh Sharma, Mr. Himanshu Jain,
Mr. Deepak Jindal, Advocates,
for complainant.

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KULDIP SINGH, J. (ORAL)

This order will dispose of petition filed by petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 525, dated 7.10.2018, registered under Sections 420, 469, 294, 120-B IPC and under Section 66-D of IT Act, 2000, at Police Station City Narnaul, District Mahendergarh (Sections 384 IPC and 67, 67-A, 66-E of IT Act, 2000, added later on).

I have heard learned counsel for petitioner, learned State counsel, learned senior counsel for complainant and have also carefully gone through file.

In nutshell, story is that a fake obscene video of one Gopal Sharan Garg was prepared, in which somebody resembling with Gopal Sharan Garg was shown with a woman indulging in obscene acts. Shri Gopal Sharan Garg is stated to be office bearer of Sanatan Dharam Education Board, Narnaul, and also incharge of School and Dramatic

Club. He is also stated to be office bearer of some other organizations.

One Surender Kumar Chaudhary approached complainant, namely, Hetram Garg, brother of Gopal Sharan Garg, and a meeting was fixed at house of complainant wherein Surender Kumar Chaudhary accompanied by another person, who was later identified as Sandeep Sharma, showed said obscene video to complainant and demanded that Gopal Sharan Garg should be stepped down from Sanatan Dharam Sabha and its institution and should hand over charge of school and dramatic club to them, failing which obscene video will be made viral. FIR in this regard was registered on 7.10.2018 at Police Station City Narnaul. Since the demand was not met, video went viral on internet on 12.10.2018.

As per police version, during investigation, statement of Sandeep Sharma was recorded by police as well as under Section 164 Cr.P.C. Statement of one Raj Kumar alias Raju, driver, was also recorded, who suffered disclosure statement that said obscene video was prepared by him, for which he had accepted Rs. 1,00,000/- from present petitioner, namely, Keshav Sanghi, who happens to be advocate by profession. It is not denying fact that family of petitioner was involved in a litigation with complainant party.

As per prosecution story, call details have been collected. Some voice recordings have also been collected, which show that petitioner was talking with accused Kishan Chaudhary (brother of Surender Chaudhary). The evidence has also been collected that petitioner has also approached a laboratory at Delhi for verifying the authenticity of said obscene CD and that CD was verified to be without any tampering. However, question remains that a person resembling with Gopal Sharan Garg appeared in said CD to project that Gopal Sharan Garg is involved in

such obscene act.

The learned counsel for petitioner has argued that Surender Kumar Chaudhary is client of petitioner and that personally, he has nothing to do with the matter. However, the learned senior counsel for complainant has argued that it is not merely a relation of client and advocate, but much more than that. Petitioner's family was previously involved in litigation with complainant party. The petitioner actively participated in crime to get fake CD prepared and then get the verification result to show that it is genuine.

After considering the evidence collected so far, I am of the view that matter is serious. The obscene video has already gone viral on internet. The entire conspiracy is to be unearthed, for which custodial interrogation of petitioner is required. It being so, no ground is made out to grant anticipatory bail to petitioner. Therefore, same is dismissed.

(KULDIP SINGH)
JUDGE

9.11.2018
sjks

Whether speaking order : Yes / No

Whether reportable : Yes / No