

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14409-2020 (O&M)
Date of Decision: 06.07.2020

Tilak Raj Shastri @ Tushar Sharma

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Rajesh Gupta, Advocate, for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

Mr. Lalit Yadav, Advocate, for the complainant.

HARNARESH SINGH GILL, J. (ORAL).

The petitioner seeks grant of concession of anticipatory bail in case bearing FIR No.22 dated 23.03.2020 under Sections 328, 354-A, 354-B, 420 and 506 IPC (Section 376 read with Section 34 IPC added later on), at Police Station Women Rohtak.

Learned counsel appearing for the petitioner contends that a totally false case has been registered against the petitioner at the instance of the complainant. It is further contended that the petitioner had borrowed from the complainant an amount of Rs.70,000/- about 4 years back, which had already been repaid by him. However, the complainant and her husband when approached by the son of

the petitioner, they had demanded an amount of Rs.25-30 lacs to settle the dispute between the petitioner and the complainant. It is further contended that when the petitioner himself approached the complainant, she asked him to pay an amount of Rs.15 lacs to settle the matter.

On the other hand, learned State counsel assisted by the counsel for the complainant have vehemently opposed the prayer for anticipatory bail. It is contended that the petitioner being a self styled Astrologer is duping the people by misguiding them under the pretext of performance of totally fake spiritual and religious rituals and that he is running a racket of playing with the religious faith and beliefs of the innocent people and thus, extending his acts to the culpability of the criminality including the sexual offences against the innocent ladies.

I have heard learned counsel for the parties.

As per the petitioner himself he is a Tantrik (Occultist). Various transactions mentioned in the FIR, indicating the transfer of money by the complainant in the bank account of the petitioner are not denied. What has been stated on behalf of the petitioner is that he had borrowed the money and then returned the same to the complainant. However, no proof of return of money has been given. Moreover, the factum of the complainant being under the influence of the petitioner from the year 2016 to 2020 is also not denied. Though initially, the offence under Section 376 IPC had not been there in the FIR, but the same was incorporated after the statement of the victim was recorded.

As the complainant alleges sexual advances at the hands of the petitioner and the petitioner having exploited the faith and beliefs of the complainant including the alleged acts of sexual advances, I do not find any ground to grant the concession of anticipatory bail to the petitioner.

Hence, the present petition is dismissed.

06.07.2020
ds

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No