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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18516-2020

Date of decision: 16.09.2020

Sanjiv Kumar

.....Petitioner

V/s.

State of Haryana and another

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Vikas Kumar Gupta, Advocate for
Mr. Vikram Bali, Advocate,
for the petitioner.

Ms. Mahima Yashpal, Deputy Advocate General, Haryana.

Mr. Rohit Choudhary, Advocate, for the complainant.

Sanjay Kumar, J.

The petitioner is the sole accused in FIR No. 0099 dated 20.04.2020 on the file of Police Station City Safidon, District Jind, registered under Sections 342, 506 376(2)(n) and 376(2)(f) IPC along with Sections 66 (E) and 67 (A) of the Information Technology (Amendment) Act, 2008. By way of this petition filed under Section 439 Cr.P.C, he seeks grant of regular bail.

As per the case of the prosecution, the petitioner developed illicit relations with the complainant by threatening her. He is stated to have administered liquor to her and obtained objectionable photographs of her. He allegedly continued the relationship under threat of publishing the photographs/video on social media. Further, he is alleged to have then

uploaded some lewd photographs on Facebook by creating a false ID for the complainant. In addition thereto, he allegedly sent video clippings on the mobile phone.

The complainant got herself impleaded as the second respondent in this case and filed a reply opposing the bail petition. Therein, she reiterated her allegations against the petitioner to the effect that he had blackmailed her with lewd videos/photographs, threatening to make them viral on social media, and induced her into a physical relationship against her will. She further stated that she would face a life threat if the petitioner was set free. According to her, there was a possibility of the petitioner duplicating obscene material to harass her further.

Given the aforestated circumstances, the mere fact that the petitioner has been in custody since 15.06.2020 is not sufficient in itself to warrant indulgence being shown to him. The allegations levelled against the petitioner are serious in nature and do not warrant lenience being extended to him at this stage. The investigation is stated to be still ongoing and no cause is made out to enlarge the petitioner on bail at this stage.

The bail application is accordingly dismissed.

(SANJAY KUMAR)
JUDGE

16.09.2020

rakesh

whether speaking/non speaking

: Yes/no

whether reportable/non reportable

: Yes/no