

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-21189-2021(O&M)

Date of Decision: 27.05.2021

Sukhjinder Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. A.P.S. Rehan, Advocate for the petitioner.

RAJESH BHARDWAJ.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case FIR No.43 dated 10.2.2021 under sections 376 and 506 I.P.C., registered at Police Station, Division B, Police Commissionerate, Amritsar.

The prosecutrix has lodged the present FIR, wherein she has leveled the categoric allegations that in 2018 she became a friend of petitioner Sukhjinder Singh through Facebook and thereafter they were in touch with each other through Whatsapp calls and chats. She has further alleged that she went to Amritsar in November, 2018 to meet Sukhjinder Singh for the first time at Baba Sulakhan Singh Sarai and thereafter for the second time in May, 2019 at the same place, where Sukhjinder Singh gave her sleeping pills and committed rape on her. Further allegations in the FIR are that the petitioner made video recording and took photographs of the prosecutrix without her consent and started making the same viral and

thus she was being blackmailed by the petitioner. Having faced such a situation the prosecutrix had no option than to approach the police authorities to get an FIR registered against the petitioner.

Learned counsel for the petitioner contends that the relationship between the petitioner and the complainant was consensual and the allegations are false and frivolous on the face of it. He has further contended that at the time of lodging of FIR petitioner was not present in India and he returned back immediately after he came to know about registration of the FIR. Counsel has vehemently contended that the present FIR is totally false, frivolous and motivated.

The allegations by the complainant are very serious in nature, wherein she has alleged rape by the petitioner that has ravished her life. He has blackmailed her by making her photographs and video recordings viral on social media. Custodial interrogation of the petitioner will be required to recover the alleged video recordings and photographs etc. of the prosecutrix/complainant and to unravel the allegations made by the complainant. No case for enlarging the petitioner on anticipatory bail, is made out. The petition being devoid of merit is, accordingly, dismissed.

(RAJESH BHARDWAJ)
JUDGE

27.05.2021

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No