

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

**CRM-M No.39681 of 2021
Date of Decision:-15.11.2021**

Arman Rizvi

.....Petitioner.

Versus

State of Haryana

.....Respondent.

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Talim Hussain, Advocate
for the petitioner.

Mr. Apoorv Garg, D.A.G, Haryana.

MEENAKSHI I. MEHTA, J.

Apprehending his arrest in the criminal case pertaining to the FIR bearing No.141 dated 16.06.2021 registered at Police Station Sector-17, Faridabad, under Sections 306, 384, 120-B, 201 and 328 IPC, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Bereft of unnecessary details, the allegations, as levelled in the subject FIR, are that the father of the complainant was trapped by the co-accused of the petitioner named Shivani, Nazia and Roshni and was called at a hotel and was administered the liquor laced with some sedatives and then, these accused prepared his obscene video-clip after removing his

clothes and started demanding money from him, while black-mailing him and they also threatened to get him implicated in some false case and to defame him and due to this reason, the father of the complainant was in stress and he had set himself ablaze and committed suicide.

Reply on behalf of the respondent-State, by way of the affidavit of Assistant Commissioner of Police, Crime, Faridabad, along-with Annexures R-1 to R-7, has been placed on the file.

I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the petitioner had no role to play in the alleged crime nor he was present in the hotel at the time of the alleged preparation of the said video-clip and he was also not paid any amount of money by the deceased and rather, he has been falsely implicated in this case and in these circumstances, he deserves the relief as prayed for in the instant petition.

Per contra, learned State counsel argues that the mobile phone as well as the Car, as used in the commission of the offence in this case, belong to the petitioner and moreover, out of the amount as transferred by the deceased in the bank account of the mother of the petitioner, i.e his co-accused Zeenat, a sum of Rs.30,000/- had been transferred in the bank account of the petitioner and these facts show his involvement in the crime and in view of the gravity of the same, this petition be dismissed.

As categorically mentioned in Para No.2 of the Reply (on

merits), the vehicle and the mobile number, as used in the alleged commission of the offence, belong to the petitioner. In Para No.5 therein, it has been further mentioned that the above-named co-accused of the petitioner, i.e his mother, received an amount of Rs.60,000/- from the deceased through bank transaction and then, she transferred a sum of Rs.30,000/- in the bank account of the petitioner and that the Car, as allegedly used in the crime, is yet to be recovered from him. Moreover, as deposed in Para 6 in the same, the whereabouts of the girl, who used the said mobile number of the petitioner, are yet to be traced out. In these circumstances, the possibility of the requirement of the custodial interrogation of the petitioner for the said purposes cannot be ruled out.

Keeping in view the above-discussed facts and circumstances as well as the gravity of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that he (petitioner) does not deserve the relief of anticipatory bail.

Resultantly, the petition in hand stands dismissed.

However, it is clarified that nothing contained here-in-before shall be construed to be an expression of the opinion of this Court on the merits of the case.

November 15, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*