

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

271

CRM-M-32337 of 2022 (O&M)
Date of decision : 05.12.2022

Gurjot Singh

... Petitioner

Versus

State of Punjab

.. Respondents

CORAM : HON'BLE MRS.JUSTICE AMARJOT BHATTIPresent : Mr.Farid Singh Virk, Advocate
for the petitioner.

Mr.Kunwarbir Singh, AAG, Punjab.

Mr.H.K.Bhatti, Advocate for the complainant.

Amarjot Bhatti, J.(Oral)

Gurjot Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.66, dated 18.6.2022 under Section 376 IPC registered at Police Station Koom Kalan, District Police Commissionerate, Ludhiana.

As per the facts of the case, a written complaint was filed by the complainant against Gurjot Singh @ Jot, Harjot Singh and Bhawna wife of Harjot Singh alleging that about 2-3 years ago, she was working as sales girl in Western Mall, Ludhiana and her friend, Priya introduced her with Gurjot Singh @ Jot. They got friendly and Gurjot Singh @ Jot expressed his desire to marry her. She wanted to marry with the consent of her family. The complainant has narrated various incidents when Gurjot @ Jot took her to different places and maintained physical relations with her and also clicked vulgar photographs and also prepared videos in the mobile phone. She has also narrated the incident that in January, 2021, Gurjot Singh @ Jot pressurized her to accompany him when his brother, Harjot and sister-in-

law, Bhawna Rani were going to Shimla for their honeymoon. She has also leveled allegation against Gurjot Singh @ Jot regarding demand of money from the complainant by threatening her that he will upload her videos on the internet. Thereafter, Gurjot Singh @ Jot performed marriage with NRI girl in July 2021. He started sending messages to the complainant, threatened her and demanded money from her. With these allegations, the present FIR has been registered.

The counsel for the petitioner argued that all the allegations leveled against him, are false. The complainant is a girl of 24 years of age. She is major. They were having consensual relationship. There was no promise of marriage. The petitioner came to know about the immoral activities of the complainant. There was no relationship between them for the last many months. He has never threatened the complainant nor raised any demand of money. He is ready to cooperative with the investigation. It is prayed that his anticipatory bail may be allowed.

This bail application is opposed by learned counsel representing the State. It is argued that the allegations are specific and serious in nature. It is conceded that the petitioner joined the investigation on 28.08.2022. The mobile phone of the accused is yet to be recovered. Therefore, he is not entitled to be released on anticipatory bail.

I have considered the arguments and have gone through the record carefully. In this case, the petitioner was directed to join the investigation as and when called by the Investigating agency and abide by the other conditions enshrined under Section 438(2) Cr.P.C. as per order dated 27.07.2022. He was also directed to hand-over his passport before the

trial Court/Illaq Magistrate. Learned counsel representing the State conceded that the petitioner joined the investigation on 28.08.2022. The learned counsel for the petitioner has also placed on record one copy of order regarding deposit of his passport before the Judicial Magistrate, 1st Class/Duty Magistrate, Ludhiana on 1.12.2022. The petitioner is still willing and ready to join the investigation.

Therefore, considering the aforesaid facts, without expressing my mind on the merits of the case, the anticipatory bail application filed by the petitioner is allowed. He be not arrested and in case, he is arrested, he be released on bail to the satisfaction of the Arresting/Investigating Officer subject to the conditions enshrined under Section 438(2) Cr.P.C.

Petition is disposed of.

05.12.2022
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(AMARJOT BHATTI)
JUDGE

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