

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-23535-2023

Date of decision : 31.05.2023

Anoop Singh

..... Petitioner

V/S

State of Haryana

..... Respondent

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Virender Soni, Advocate for the petitioner.

Ms. Deepshikha Chauhan, Asstt. AG, Haryana.

AMARJOT BHATTI J. (ORAL)

The petitioner-Anoop Singh has filed the instant petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 33 dated 10.04.2023, under Sections 120-B, 354-C, 365, 376(2)(n), 376(2)(f), 506 of IPC, registered at Women Police Station Jind, District Jind.

The facts of the case are that the prosecutrix filed a written complaint against Anoop Singh, Naveen and Sunny Balmiki with the allegations of rape, blackmailing and threatening to kill her. She alleged that she was married to Jaipan in the year 2010 and out of this wedlock, she was having three children. Her husband was doing the work of electric repairing. They were residing in village Padana. The accused-Anoop Singh was resident of village Padana who was working in Horse Force in Delhi. His house was adjoining to their house. They were on visiting terms with each other. In the year, 2019 she was introduced with Anoop Singh. They had some money transaction and they also used to talk on mobile phone. In July, 2020 her husband had gone to his shop at Jind and she

was alone in the house. She wanted to go to Jind due to domestic urgency. Anoop Singh assured her to take her to Jind on his motorcycle. However, he took her in a hotel near Batakh Chowk, Jind. He offered her cold drink and after consuming she became unconscious. She found herself naked in a hotel room and Anoop Singh was also lying naked by her side. He had clicked some objectionable photographs and prepared a video. He threatened her not to raise alarm otherwise her video will be made viral. He also threatened her children and husband. Thereafter, Anoop Singh kept on blackmailing her and she was repeatedly raped. She was continuously threatened by him. He used to send her sleeping pills which she used to give to her husband under compelled circumstances and thereafter, Anoop Singh used to come to their house and established un-natural physical relations with her by blackmailing her. She was also taken to Jind by Anoop Singh along with his friend Sunny and she was pressurized to affix her signatures on a document that she left the house with her free consent. She stayed with him up to 01.09.2022 under fear. She was not permitted to contact her husband and children. Ultimately, she got herself rescued and came to the house of her sister-in-law Babli at village Mandi, District Panipat. Even thereafter, she was threatened by him. She did not tell anything to her husband. On 26.03.2023, Anoop Singh again came to her house and she was threatened and was compelled to accompany him. Ultimately she filed this complaint to the Station House Officer, Women Police Station, Jind and thereafter the present case was registered.

Learned counsel for the petitioner argued that he is falsely implicated in this case. The complainant is a married lady and mother of three children. The reading of this complaint clearly indicates that he is falsely implicated in this FIR in order to extract money from him. The complainant was unhappy with her

husband and she wanted divorce from him. Under these circumstances the complainant came in contact with him and they became friends. He has placed on record the extract of messages sent by the complainant (Annexure P-2). The petitioner was trying to help her out. Both of them resided in live-in-relationship with their free consent. The copy of agreement and affidavits furnished by them are Annexure P-4 to P-6. The complainant raised demand of rupees four lacs in June, 2022 and when he did not satisfy this demand, she became aggressive and levelled false allegations against him. He is ready to join the investigation and abide by the terms of the bail order. It is prayed that his anticipatory bail application may be allowed.

Learned State counsel has filed status report, which is taken on record. It is argued that there are specific serious allegations against the present petitioner. He is yet to join the investigation. Considering the gravity of offence, he is not entitled to be released on bail.

I have considered the arguments and have gone through the record carefully. As per the facts mentioned in the complaint filed by the prosecutrix, she came in contact with the present petitioner and thereafter she was sexually exploited by giving her some intoxicant. The petitioner allegedly prepared obscene video and thereafter he blackmailed her and continued to rape her. She further alleged that her signatures were obtained on some documents by putting her under threat and ultimately, she filed the complaint. The petitioner has denied all these allegations but the fact remains that there are serious allegations against the present petitioner. There is specific reference of preparing objectionable video. The custodial interrogation of the petitioner is required. The mobile phone used by him for preparing video is yet to be recovered. Considering the specific

allegations and gravity of offence, I do not find a fit case for anticipatory bail and the same is accordingly declined.

The petition is accordingly declined.

(AMARJOT BHATTI)
JUDGE

31.05.2023.
Sunil Devi

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