

216

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42307-2022

Date of Decision:- 19.04.2023

Bhim Singh @ Sunny

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gaurav Vir Singh Behl, Advocate
for the petitioner.

Ms. Ambika Sood, Additional A.G. Haryana.

AMARJOT BHATTI, J. (Oral)

The petitioner – Bhim Singh @ Sunny has filed second petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 06 dated 18.01.2022 under Sections 376, 506, 120-B of IPC and 67 of IT Act, 2000 (Section 67-A of IT Act, 2000 added later on), registered at Police Station Women, Kurukshetra.

The facts of the case are that the prosecutrix filed written application before the police that accused No. 1 Sunny is the son of her maternal aunt, accused No. 2 Sunita is her maternal aunt, whereas, accused No. 3 Mamta is the wife of accused No. 1. They were on visiting terms with each other. One day, accused No. 1 forcibly took her in a hotel and developed physical relations and also prepared a video. He used to blackmail her and exploited her physically. He started sending the obscene

videos to her husband and other relatives. He also threatened to commit suicide and put the entire blame on her. The accused No. 2 and 3 instead of making him i.e. accused No. 1 understand, they supported him. He started raising demand of Rs. 3 lacs from her husband, otherwise, he will viral the video on social media. The matter was investigated and the present FIR has been registered in which the challan is presented and the accused is facing trial.

Learned counsel for the petitioner argued that he was arrested on 28.02.2022 and since then, he is behind the bars. There is statement of alleged victim as PW-2 dated 28.07.2022 where she has not supported the prosecution case, rather, she alleged that everything was done with her consent. The trial of this case may take long time. It is prayed that his regular bail application may be allowed.

Learned counsel representing the State has filed status report. It is confirmed that after completion of investigation, challan in this case has been presented and the case is fixed for prosecution evidence. The allegations are specific and serious in nature. Considering the gravity of offence, he is not entitled to be released on regular bail.

I have considered the arguments and have gone through the record carefully. I have carefully gone through the contents of statement of victim recorded as PW-2 Annexure P-2. In the entire statement, she claimed that everything was being done with her own consent. The statements of other prosecution witnesses are yet to be recorded. He is behind the bars for the last more than one year. Trial of this case may take some time. Therefore, without expressing my mind on the merits of the case, the regular bail application filed by the petitioner – Bhim Singh @ Sunny is allowed. He is ordered to be released on bail to the satisfaction of

trial Court/Duty Judge concerned.

The petition is, accordingly, accepted.

19.04.2023
lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No