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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-44684-2023 (O&M)

Date of decision: 06.09.2023

Mayank

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Dhruv Dayal, Additional AG, Punjab.

ARUN MONGA, J. (ORAL)

Instant is a petition under Section 438 read with Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), *inter alia*, for grant of pre-arrest bail to petitioner in the FIR likely to be registered against petitioner on the basis of complaint(s) submitted by one Priya before different police officials, to viz., the Station House Officer, Police Station, Mataur, District SAS Nagar (Mohali), the Incharge, Anti-Human Trafficking Unit, SAS Nagar (Mohali) and the Station House Officer, Police Station, City Nawanshahr, District SBS Nagar (respondents No.2 to 4 respectively) and further issuance of directions to respondents to serve a seven days' advance notice upon the petitioner in case any coercive steps are proposed to be taken against the petitioner in respect of the pending complaint(s).

2. Learned counsel for petitioner submits petitioner is a professional singer and part-time model and is associated with the Punjabi Music Industry for the last few years. Petitioner is also engaged in the work

of video and photography editing. In the year 2023, petitioner came in contact with one Priya, a resident of House No.2473, Sector 82, Block-C, Aero City, SAS Nagar (Mohali). Above said Priya is also a professional singer in the Punjabi Music Industry. Priya offered to engage the services of the petitioner for the purpose of video editing and as a model in the video of her upcoming Punjabi song. Petitioner agreed to the aforesaid offer, whereupon, Priya started visiting the residence of the petitioner on the pretext of editing her upcoming song and to discuss related matters with the petitioner. After some time, Priya expressed her wish to reside with the petitioner in live-in relationship. Petitioner was neither ready for a live-in relationship nor marriage with Priya on account of an age gap of 10 years between petitioner and said Priya.

2.1 Learned counsel for petitioner further submits that after some time Priya offered to sing a duet song with the petitioner and sent her latest song recording to the petitioner. Finding it to be a good opportunity in his singing career, petitioner agreed to sing the latest song with Priya, whereupon Priya demanded a sum of Rs.1,50,000/- from the petitioner as payment for the expenses to be incurred in the preparation of the said song. On 29.06.2003, Priya received a sum of Rs.1,50,000/- in cash from the petitioner in the presence of his parents and his friend Yadvinder Singh and thereafter upon further demand, petitioner also transferred a sum of Rs.50,000/- to the account of Priya. In the month of June, 2023, Priya and petitioner went to Dubai for shooting the video of upcoming song. Petitioner made all the travel arrangements by spending a sum of more than Rs. 1 lakh. However, on reaching Dubai, Priya came up with the excuse that it was not

possible to shoot video of the song due to sudden unforeseen exigency and rather misused the credit cards of the petitioner by spending money to the tune of Rs.1,80,000/-. On return to India, petitioner demanded money from complainant-Priya and she returned a sum of Rs.50,000/- to the petitioner and with regard to remaining amount, she turned hostile and vindictive towards the petitioner and threatened him with false implication in criminal cases on the ground that petitioner had committed cheating with her and had also sexually exploited her on the false promise to perform marriage with her. On account of friendship, Priya and petitioner used to borrow from and lend small amounts of money to each other.

2.2 Learned counsel would further contend that in the month of August 2023, petitioner received three telephonic calls from respondents No.2, 3 and 4 to attend the police station in connection with three alleged complaints submitted by said Priya before different police stations on the ground of alleged cheating and sexual exploitation committed by the petitioner. Since the petitioner is facing multiple complaints before different police stations in different districts of Punjab, petitioner is constrained to approach this Court for safeguarding his liberty. Hence, the instant petition.

2.3. Learned counsel for the petitioner would further canvass that no FIR has been registered against the petitioner. He and his family members are being repeatedly called by respondents No.2 to 4 without complying with the mandatory provisions of Section 160 Cr.P.C.

3. On advance service of copy of petition, learned State counsel appears and opposes the petitioner and submits that no blanket order can be passed in favour of the petitioner, at this stage.

- 4. Heard.
- 5. Conceded position is that no FIR has been registered at this stage against the petitioner. It is stated that some false complaints have been filed by the aggrieved person against him *qua* the allegations made enumerated hereinabove.
- 6. In the premise, no grounds are made out to interfere. However, petition is disposed of with an expectation that in case hereafter any FIR(s) is/are registered against the petitioner on the complaint of said Priya, he shall be put to prior notice of seven days before taking any coercive steps.
- 7. Disposed of accordingly.
- 8. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

06.09.2023
vandana

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No