

CRM-M-58487-2022

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

(213)

CRM-M-58487-2022

Date of Decision:-12.01.2023.

Varun Lamba

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Arun Gupta, AAG, Punjab.

ALOK JAIN, J. (Oral)

The present petition has been filed seeking grant of anticipatory bail to the petitioner in FIR No.204 dated 06.11.2022 under Sections 354, 354-D, 376, 506 of IPC, registered at Police Station City Rupnagar.

Vide order dated 15.12.2022, notice of motion has been issued.

Learned State counsel has filed reply, which is taken on record.

Learned counsel for the petitioner has argued that the entire FIR is false and the same has been purposefully lodged in Delhi and then got transferred to Rupnagar.

It has been further submitted that the entire story is concocted and in fact the complainant is a married woman and they both were

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working with Daily Ajit as a Journalist and have old family relations. The correct position is that the petitioner started a You Tube News channel, which was doing extremely well by way of royalty and the complainant started demanding 50% share in the earnings and it was only when the petitioner refused to share any such profits, the present FIR came to be filed. He further submits that he never went to Delhi on the alleged date and in fact the prosecutrix has on earlier occasions also, filed the complaints which were compromised for which he relies upon Annexures P-4 to P-6.

Learned State counsel has submitted that the custodial interrogation of the petitioner is required as the petitioner has not handed over the phone which contains the alleged objectionable photos and videos. He further submits that even in the compromise dated 12.05.2022, reference to the photos and videos was there and the parties agreed that the same shall not be shared on any social platform. Learned State counsel has further submitted that during investigation the mother of the petitioner has handed over one mobile. It is further submitted that an amount of Rs.1,00,000/- has been deposited by the prosecutrix in an account alleged to have been given by the petitioner, to substantiate of allegation of black-mail. Learned State counsel has relied upon the averments of the reply filed and has prayed for the dismissal of the present petition.

After hearing, the counsel for the parties and perusal of the FIR does not entitle the petitioner for grant of extra-ordinary concession of anticipatory bail at this stage, for the reason, that the petitioner can tamper with the evidence which shall be detrimental to the investigation. The statement under Section 164 of Cr.P.C. has been recorded where the

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prosecutrix has reiterated the allegations in clear terms.

The case is still at the stage of investigation and serious allegations have been levelled against the petitioner and the mobile phone as well as the amount alleged to have taken by the petitioner is also not recovered. Therefore, in my view the custodial interrogation of the petitioner is required.

For the reasons recorded above, the petitioner is not entitled to the extra-ordinary concession of bail.

Finding no merit, the present petition stands dismissed.

(ALOK JAIN)
JUDGE

January 12, 2023.

Sandeep

Whether speaking/reasoned:- Yes/No

Whether Reportable:- Yes/No