

Naru is also Haryanvi artist. There are family relations with Naru and against my friend Naveen Naru, Preeti d/o Pushpraj resident of Hansi has registered a case FIR No.86 dated 16.11.2023 U/S 376(2) (N) 328,506,509 in Women Police Station Hansi, in which my friend Naveen Naru is in jail. I had a conversation with Hans S/o Vedprakash resident of New Subhash Nagar Hansi and Satpal S/o Ramdas resident of Ramsingh Colony Hansi, during the conversation, Preeti, Kapil and Satpal agreed to compromise in the case. They asked for 20 lakh rupees for this, to which I said that the money is too much and I cannot give it, then they said that they will settle for 15 lakhs. In our case, a settlement has been reached for 15 lakh rupees and the deal was finalised. After making arrangements of Rs 1.50 lakh from Rs 15 lakh, I have come to Hansi court along with Preeti, Kapil Sharma and Satpal to take money from Naveen Naru by falsely implicating him in a rape case, which all three of them have compromised with me. Action should be taken against them. SD/- Jaipal Applicant Jaipal @ Jaile s/o Ramniwas Caste Jat Resident Dharaudi, Narwana Mohd. 8708664394 27.02.2024"

3. Learned counsel for the petitioner contends that the petitioner is a victim of deep rooted conspiracy and he has been falsely involved in the present case. He further contends that the petitioner had got a FIR No.86 dated 16.11.2023, under Sections 328,276(2), 506,406,509 of IPC, Police Station-Women Police Station, Hansi registered against Naveen Naru, the friend of the complainant. As a counter-blast to the registration of the case, the complainant has falsely implicated the petitioner in the present case. Even Kapil Sharma and Satpal, co-accused were found at the place of occurrence and the recovery was made from them. The petitioner was wrongly named in the FIR and since the

recovery has already been effected from the co-accused, the custodial interrogation of the petitioner will not be required. Learned counsel further contends that the even the petitioner attempted a suicide and was also involved in one FIR No. 107/2024, under Section 309 of IPC, registered at Police Station Hansi City, Hansi and the Trial Court had wrongly placed reliance on the judgment passed by this Court in CRM-M-2524-2024 titled as “Savita Vs. State of Haryana” decided on 29.02.2024. Thus, the petitioner was entitled to the concession of anticipatory bail.

4. On the other hand learned State counsel has vehemently opposed the submissions made by the petitioner on the ground that the petitioner had got registered one FIR No.86 dated 16.11.2023, under Sections 328,376(2), 506,406,509 of IPC, Police Station- Women Police Station, Hansi against Naveen Naru, the friend of the complainant. Just to retract from her statement, The present petitioner hatched a criminal conspiracy along with her co-accused Kapil @ Nehru Dutt and Satpal and demanded a sum of Rs.20 lacs from the complainant of the present case. Finally, a deal was settled for a sum of Rs.15 lacs and on 27.02.2024, Satpal and Kapil had taken a sum of Rs.1.50 lacs from Jaipal, complainant, on the asking of the present petitioner. Kapil @ Nehru Dutt and Satpal had accepted a sum of Rs.1.50 lacs as first instalment, out of total amount of Rs.15 lacs and the police raided them and a sum of Rs.1.50 lacs was recovered from the co-accused of the petitioner and the present FIR has been registered. Learned State counsel further submits that during the course of investigation, both the co-accused namely Kapil @ Nehru Dutt and Satpal have suffered their respective disclosure statements and stated that they had hatched

a criminal conspiracy with the present petitioner and had demanded a sum of Rs.20 lacs from the complainant to retract from her statement in case FIR No.86 dated 16.11.2023, under Sections 328,376(2), 506,406,509 of IPC, Police Station- Women Police Station, Hansi. Even during the course of investigation, a recording has been taken into possession, wherein, a lady is demanding a sum of Rs.20 lacs in the audio recording. Consequently, the voice sample of the petitioner has to be collected, so that her voice may be matched with the audio recording available with the police. Learned State counsel further submits that Trial Court has correctly placed reliance on the judgment passed by this Court in CRM-M-2524-2024 titled as “Savita Vs. State of Haryana” decided on 29.02.2024, where in this Court held as follows:-

“52.This case is not a sole isolated case when, after lodging serious allegations of sexual assault, the statements by the alleged victim of sexual assault are retracted. Considering the nature of the allegations that came to this Court’s notice, it would be essential and appropriate to issue the following direcons to be conveyed to all the concerned police officers and invesgators.”

“53.To curb the menace of sextortion and false accusations on various counts, the Invesgator(s) /supervisory officer(s), in the cases involving sexual offences, when the complainant/victim(s) resile from their initial version(s), must make that report part of police proceedings. After that, they must immediately send the file to the concerned Superintendent of Police, who shall transfer the invesgation to themselves, or to another investigating officer duly monitored by an IPS Officer or Dy. SP. Before filing a cancellation report, the Investigator must verify whether any amount or any consideration, in shape of any valuables or in kind is paid to any official/officer or the complainant/victim by or on behalf of the

accused named in the FIR for compromise or for retrating the earlier statement(s). The supervising officer must inquire whether the complainant/ victim had not received any financial benefits or was not threatened, intimidated, or put under duress for such retraction of the initial accusation. If, in the inquiry, the Investigator is able to collect sufficient evidence that the victim(s) or complainant was/were not under any threat, intimidation, or coercion, then the concerned public servant must consider initiating proceedings for violation of Section 182 of the Indian Penal Code, 1860, as and when the stage comes, following the law, also ensuring that such a complaint does not get barred under limitation prescribed under section 468 of Code of Criminal Procedure, 1973. Suppose they do not proceed to prosecute or take a contrary stand; in such a situation, the concerned Superintendent of Police must forward the reasons for not filing the complaint to the Director General of Police, who shall take a final decision, either themselves or by delegating it to any officer of the IPS cadre. Non-compliance to be entered in their service records.”

5. I have heard the learned counsel for the parties and perused the record carefully.

6. It is apparent from the record that the present petitioner had earlier lodged one FIR No.86 dated 16.11.2023, under Sections 328,376(2), 506,406,509 of IPC, Police Station- Women Police Station, Hansi against Naveen Naru, the friend of the complainant. As per the story of the prosecution, the petitioner and her co-accused had demanded a sum of Rs.20 lacs from the complainant just to retract from her statement, which was to be recorded in FIR No.86 dated 16.11.2023. Even the police had recovered a recording in a mobile

phone, wherein the petitioner is heard asking for a sum of Rs.20 lacs. Even a sum of Rs.1.50 lacs was extorted by two co-accused of the petitioner namely Kapil @ Nehru Dutt and Satpal and they were arrested at the spot with the extorted money. In fact, the Hon’ble Supreme Court as well as this Court have taken a very serious view about the cases of sextortion and no leniency can be shown to such criminals. In the present case, the present petitioner firstly lodged one FIR regarding the commission of rape on her and later on, she and her co-accused negotiated for a sum of Rs.20 lacs, just to turn hostile in the rape case and such tendency needs to be curbed strictly by this Court. Further, the voice sample of the petitioner is yet to be collected by the police and the custodial interrogation of the petitioner would be required to take the investigation to its logical end. Thus, the petitioner is not entitled to any discretionary relief of anticipatory bail in the present case and the present petition is ordered to be dismissed accordingly.

03.04.2024.
hitesh

(N.S.SHEKHAWAT)
JUDGE

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