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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18621-2024 (O&M)
Date of decision: 18.04.2024

Gurnam Singh
... Petitioner

Vs.

State of Punjab and another
... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Navjot Singh, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.32 dated 08.03.2024 (Annexure P-1) under Sections 376, 354-C, 384 of the Indian Penal Code, 1860 and Sections 67 & 67(A) of the Information Technology Act, 2000, registered at Police Station Dinanagar, District Gurdaspur.
2. Learned counsel for the petitioner, *inter alia*, contends that the occurrence, as per case set up by the prosecution, took place from 14.04.2021 to 22.07.2022 and FIR (*supra*) was registered on 08.03.2024. The petitioner as well as respondent No.2-complainant are major and married and are having children. They were in consensual relationship and

FIR (*supra*) was registered only to extract money from the petitioner, as he is a man of means.

3. Notice of motion.

4. On asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Rajesh Kapila, Advocate accepts notice for respondent No.2 and files Power of Attorney, which is taken on record.

5. Per contra, learned State counsel, assisted by learned counsel for respondent No.2-complainant, submits that during investigation, veracity of the allegations made by the complainant-prosecutrix were thoroughly verified and it has been found from verification of voice recording presented by the petitioner that he is showing his intention to marry the complainant. Thereafter, certain obscene photos and videos were made by the petitioner and he started blackmailing the complainant by threatening her to circulate the same. Further, the petitioner has been demanding money from the complainant-prosecutrix by blackmailing her. It is further submitted that on asking of the petitioner, the complainant-prosecutrix deposited Rs.25,000/- three times in his bank account bearing No.137001510401 of ICICI Bank, Branch Dinanagar on 10.11.2021, 08.03.2022 and 22.07.2022 to fulfill his illegal demands. The investigating agency found that the deposits were made in the account of the petitioner and from the voice recording, the aforementioned demands were duly verified, in which the petitioner was demanding money from the complainant-prosecutrix. Statement of the

jeweller was also recorded, in which it is stated that the petitioner has taken the gold chain of the complainant-prosecutrix. Some cash amount was also taken by the petitioner from the complainant-prosecutrix. Further, obscene photos and videos were sent on the mobile phones of husband, sister, brother and other relatives of the complainant-prosecutrix. During the investigation, it was found the petitioner is harassing the complainant-prosecutrix physically and mentally, by threatening to shatter her dignity.

6. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, this Court finds no ground to grant anticipatory bail to the petitioner.

7. Keeping in view the serious allegations against the petitioner and also the fact that his custodial interrogation is required, present petition is dismissed.

[HARPREET SINGH BRAR]
JUDGE

18.04.2024
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No