



IN THE PUNJAB AND HARYANA HIGH COURT
AT CHANDIGARH

212

CRM-M-19903-2024 (O&M)
DECIDED ON: 26.04.2024

VIRENDER

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Manish Mehta, Advocate
for the petitioner.

Mr. G.S. Dhillon, AAG, Haryana.

SANDEEP MOUDGIL, J

CRM-17375-2024

Application is allowed, as prayed for.

CRM-M-19903-2024

1. The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked seeking regular bail to the petitioner in case FIR No.5, dated 05.03.2024, under Sections 384, 419, 420 and 120-B IPC and Sections 66-E/67-A of Information Technology Act, registered at Police Station Cyber Crime Narnaul, District Mahendergarh.
2. The brief facts of the case are that on 05.03.2024, complainant Mahender Singh moved an application alleging that he was duped of Rs.2,52,500/- by threatening and black-mailing him on 01.03.2024.
3. It is contended by learned counsel for the petitioner that he has been falsely implicated in the present case. It is further contended that he is not even



named in the FIR and he was arrested on 27.03.2024 on the pretext that a sum of Rs.59,000/- was found transferred in his account by accused Jitender @ Jitu. In this regard it is stated that Mahender Singh and Jugga (Brother of accused Jitender) used to get oil/diesel filled on credit and an amount of Rs.59,000/- was outstanding against them. There is nothing on record to suggest that petitioner has actively participated in commissioning of offence.

4. Learned State Counsel has filed the custody certificate of the petitioner, which is taken on record. According to the said custody certificate, the petitioner has suffered incarceration for a period of 26 days only as of now. He prays for dismissal of the present petition stating that petitioner is involved in the commission of offence of causing huge loss of the money to the complainant through fraud. Moreover, the custody period undergone by the petitioner is very less. He submits that the stay of the petitioner in judicial custody has no relevance for his release. The conduct of the petitioner is threatening also. He does not appear to be a law abiding citizen and has committed heinous offence.

5. Heard, learned counsel for the respective parties.

6. Section 66-E of the IT Act, a person who violates the privacy of any person. It says that whoever intentionally or knowingly captures, publishes or transmits the image of a private area of any person without his or her consent, under circumstances violating the privacy of that person, shall be punished with imprisonment which may extend to three years or with fine not exceeding two lakh rupees, or with both. In the instant case, there is a specific allegation against the petitioner with regard to blackmailing the complainant and threatened him that he



would viral the video on social media showing a nude female in the said video with him.

6. It is also abundantly clear that the petitioner has hatched a conspiracy in connivance with his co-accused and duped huge money of the complainant. The allegation against the petitioner is very serious in nature. Such person like the petitioner does not deserve any leniency from the Court of law. Hence, the present petition is dismissed being devoid of any merits.

26.04.2024
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(SANDEEP MOUDGIL)
JUDGE

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