



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-24141-2024
Date of decision : 22.08.2024

Anoop

..... Petitioner

V/S

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Ms. Prabhjot Kaur, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Ms. Komal Balain, Advocate for complainant.

AMARJOT BHATTI J. (ORAL)

1. Petitioner-Anoop has filed the instant petition under Section 439 Cr.P.C. seeking regular bail in FIR No. 33 dated 10.04.2023, under Sections 120-B, 354-C, 365, 376(2)(n), 376(2)(f), 506 of IPC, registered at Police Station Women, Jind, District Jind.
2. The facts of the case are that the prosecutrix filed a written complaint against Anoop Singh, Naveen and Sunny Balmiki with the allegations of rape, blackmailing and threatening to kill her. She alleged that she was married to Jaipal in the year 2010 and out of this wedlock, she was having three children. Her husband was doing the work of electric repairing. They were residing in village Padana. Accused-Anoop Singh was resident of village Padana who was working in Horse Force in Delhi. His house was adjoining to their house. They were on visiting terms with each other. In the year 2019, she was introduced with Anoop Singh. They had some money transaction and they also used to talk on



mobile phone. In July, 2020 her husband had gone to his shop at Jind and she was alone in the house. She wanted to go to Jind due to domestic urgency. Anoop Singh assured her to take her to Jind on his motorcycle. However, he took her in a hotel near Batakh Chowk, Jind. He offered her cold drink and after consuming she became unconscious. She found herself naked in a hotel room and Anoop Singh was also lying naked by her side. He had clicked some objectionable photographs and prepared a video. He threatened her not to raise alarm otherwise her video will be made viral. He also threatened her children and husband. Thereafter, Anoop Singh kept on blackmailing her and she was repeatedly raped. She was continuously threatened by him. He used to send her sleeping pills which she used to give to her husband under compelled circumstances and thereafter, Anoop Singh used to come to their house and established un-natural physical relations with her by blackmailing her. She was also taken to Jind by Anoop Singh along with his friend Sunny and she was pressurized to affix her signatures on a document that she left the house with her free consent. She stayed with him up to 01.09.2022 under fear. She was not permitted to contact her husband and children. Ultimately, she got herself rescued and came to the house of her sister-in-law Babli at village Mandi, District Panipat. Even thereafter, she was threatened by him. She did not tell anything to her husband. On 26.03.2023, Anoop Singh again came to her house and she was threatened and was compelled to accompany him. Ultimately she filed this complaint to the Station House Officer, Women Police Station, Jind and thereafter the present case was registered.

3. Learned counsel for the petitioner argued that allegations levelled against him are false. No proper investigation was carried out by the police. In fact relation of complainant with her husband was not good. Feeling harassed and



humiliated she left the matrimonial home and started residing with the petitioner. They were in live-in relationship. Copy of agreement and affidavit are Annexure P-2 and P-3. When petitioner failed to satisfy her demands, she started threatening him to implicate in a false case. It is pointed out that petitioner was arrested on 19.06.2023. Trial is pending before the trial Court and statement of said victim has been recorded which is placed on record as Annexure P-5. He will abide by the terms of bail order. It is prayed that his regular bail application may be allowed.

4. Ms. Komal Balain, Advocate has also filed *vakalatnama* on behalf of complainant alleging that present petitioner is threatening to effect compromise. Therefore, he is not entitled to be released on bail.

5. Bail application is also opposed by learned counsel representing State. It is pointed out that allegations are specific and serious in nature. Victim as PW1 has fully supported the prosecution case. However, it is confirmed that as per the record available with the local police, petitioner is not involved in any other case.

6. I have considered the arguments and have gone through the record. In the case in hand initially petitioner filed anticipatory bail application bearing CRM-M-23535-2023 which was declined by this Court vide order dated 31.05.2023. Thereafter, present petitioner was arrested in this case. As per status report, after completion of investigation challan was presented on 13.06.2023. Thereafter supplementary challan was also filed. Petitioner was chargesheeted on 14.11.2023. Statements of victim, who is 30 years of age, has been recorded as PW1. Since the statement of victim is also recorded, therefore, there is no question of threatening the victim or pressurizing her to change her version. Trial in this case is likely to take time. Petitioner is not involved in any other case.



- 7. Considering the aforesaid factual position without going on the merits of case, bail application is allowed. He is ordered to be released on bail to the satisfaction of trial Court/Duty Judge.
- 8. The petition stands accepted.
- 9. Pending application (s) if any also stands disposed of.

(AMARJOT BHATTI)
JUDGE

22.08.2024
snd

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No