

2024:PHHC:079271



CRM-M-24568-2024 (O&M)

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

CRM-M-24568-2024 (O&M)

DATE OF DECISION : 30.05.2024

**KARANDEEP SINGH ALIAS KARAN SINGH ALIAS BAGI
... PETITIONER**

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Achin Gupta, Advocate for the petitioner.

Ms. Himani Arora, A.A.G., Punjab.

Mr. G.S.Brar, Advocate for the complainant.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No. 51 dated 27.04.2024 under Sections 306, 354, 354-B, 354-D IPC, registered at Police Station Sadar Faridkot, District Faridkot.

2. The FIR has been registered at the instance of the sister of the victim who has alleged that her sister was working as a Cashier in a Mall at Faridkot and her work timings are from 7.30 AM to 7.30 PM. The petitioner is resident of same village and residing in a house nearby. The complainant and her sister-victim used to travel from their village to Faridkot on a motor-cycle. The petitioner also used to come to Faridkot daily for doing

labour work. The petitioner used to call the victim on her mobile phone

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through whatsapp. The petitioner had some obscene photographs of her sister on his mobile phone and on that pretext, he used to threaten the victim to make the said indecent photographs viral. The victim had been requesting the petitioner to delete the said photographs from his mobile phone. The complainant and victim (both the sisters) did not inform their family members due to fear of indecent publicity. The victim was stressed due to the said facts. The petitioner used to invite the victim wherever he wanted under the threat of making the said obscene photographs viral. The victim told the complainant that the petitioner is forcing her to take her life many times. On 11.04.2024 at 11 A.M. when the victim was alone at her house, she committed suicide by hanging herself. The family was under shock. As such, no complaint was given to the police nor the post-mortem was got conducted. After that the petitioner started harassing the complainant and therefore, she reported the matter to the Police on 27.04.2024.

3. State has filed the status report by way of affidavit of Shamsher Singh, PPS, Deputy Superintendent of Police, Sub Division Faridkot, District Faridkot along with photocopies of details of internet chat, photographs on the mobile phone of the victim and call details of mobile phone of the petitioner bearing Nos. 8675659000 and 9914892492.

4. Learned counsel for the petitioner contends that petitioner has been falsely implicated in this case. No complaint was filed against the petitioner prior to the registration of the present FIR. The prosecution conceded before the Sessions Judge that the complainant did not say anything

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regarding the ingredients of Section 354, 354-B, 354-D IPC in her statement recorded under Section 164 Cr.P.C. There is no suicide note of the deceased and there is no evidence that it is a case of unnatural death.

5. State counsel, while referring to the status report, *inter alia* contends that after the registration of the FIR, on 30.04.2024, the complainant had produced the photographs and hard copies of the mobile chat of the petitioner with the deceased showing that the petitioner was frequently calling the deceased and photographs also reflect the physical torture by the petitioner upon the deceased. The complainant has also produced one photograph of the dead body of her sister. It is further testified that on 06.05.2024 the statement of the complainant was recorded under Section 164 Cr.P.C. where she has firmly narrated the culpability of the petitioner. The investigation is at the initial stage.

6. I have considered the aforesaid contentions.

7. There are *inter se* calls and chats between the petitioner and the deceased. There are photographs as well which have been allegedly shared on the mobile phone of the petitioner. The victim was a young girl who committed suicide by hanging. No doubt, the dead body has been cremated without post-mortem examination but this fact has been clarified by the complainant in the FIR that both the sisters i.e. complainant and the victim used to hide about the act of the petitioner from their family members in order to avoid any scandal. The victim and the complainant are resident of same village. In such like circumstances, some times there is a time



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8. No ground is made out to grant the concession of anticipatory bail to the petitioner. Consequently, the present petition stands dismissed.

Janki

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No