



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

CRM-M-34208-2024 (O&M)
Reserved on: 19th September 2024
Date of decision: 22nd November 2024

MANJINDER SINGH @ MANJINDER SHARMAPetitioner

versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Ramesh Sharma, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

HARPREET KAUR JEEWAN, J.

1. The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C."*) for grant of anticipatory bail to the petitioner in case FIR No.178 dated 20.04.2024, under Sections 354, 354-C, 499 IPC, 1860 and Section 67 of the Information and Technology Act, 2000 (*hereinafter referred to as "I.T. Act"*), registered at Police Station City Barnala, District Barnala (Annexure P-1).

2. Learned counsel for the petitioner contends that the complainant has levelled false allegations pertaining to the year 2019 and 2020 in the FIR, which was registered in the year 2024. It is further contended that the co-accused of the petitioner were found innocent during investigation and they were not arrayed as accused in the FIR, though the co-accused namely Gurinderjit Singh and Kuljinder Singh were also named in the complaint moved by the complainant. It is further contended that the complainant is



habitual of lodging false complaints against various persons. A complaint was made by the complainant in the year 2020 against Gurinderjit Singh and the said complaint was found to be false on 20.07.2020, as per the inquiry report (Annexure P-3).

2.1 It is further contented that the petitioner has been falsely implicated in this case only due to the reason that he is a friend of the main accused-Kuljinder Singh, with whom the complainant was in a relationship. However, later on, a dispute arose *inter se* Kuljinder Singh and the complainant. The petitioner is ready to join the investigation.

3. On the other hand, learned State counsel has opposed the present petition on the ground of gravity of allegations levelled against the petitioner. While referring to the status report dated 05.09.2024, it has been contended that the petitioner-Manjinder Singh had sent photographs and videos of the complainant from the mobile phone No.8837555189. The said mobile number is registered on the name of accused-Kuljinder Singh. However, the same was being used by the petitioner-Manjinder Singh for the purpose of business of co-accused/Kuljinderjit Singh.

3.1 It is further contended that the petitioner had sent the photographs and video of the complainant from the aforesaid mobile number to his own phone No.9832828288 and to the complainant on her mobile No.9876184812. It is further mentioned in the status report that during the inquiry, it was found that the said videos and photographs of the complainant were also uploaded on the Facebook ID of Rajvir Singh Sandhu by the petitioner. It is contended that as per the Inquiry Report (Annexure R-1), no evidence was found against



co-accused Kuljinder Singh and his wife Paramjit Kaur as well as against Gurinderjit Singh to show they had ever demanded any amount from the complainant by blackmailing her.

4. I have heard learned counsel for the parties and perused the paper book.

5. The complainant cannot be termed as a habitual complainant merely on the basis of previous complaint referred in the inquiry report (Annexure P-3). The complaint filed by the complainant against co-accused/Gurinderjit Singh was closed by the Deputy Superintendent of Police, Barnala, observing that no truth was found in the allegations levelled by the prosecutrix against Gurinderjit Singh regarding giving her beatings, pressing her neck and threatening to throw acid on her. Since the said complaint is not a matter of adjudication before this Court, as such, no further reference is made to the said complaint. However, there is no reference of the petitioner in the said complaint. There are allegations in the FIR regarding the subsequent events and there are specific allegations that the photographs and videos of the prosecutrix were uploaded on the social media apart from the allegations of violation of the prosecutrix. As per Inquiry Report (Annexure R-1), the petitioner is alleged to have uploaded the photographs and videos of the complainant on the Facebook ID of Rajvir Singh Sandhu and sent the same from one mobile phone to another.

6. Keeping in view the specific allegations against the petitioner, which are serious in nature and in view of the fact that the act and conduct of the petitioner is not with regard to any personal relations, as such, no ground is



made out to grant the concession of pre-arrest bail to the petitioner.

- 7. Consequently, the present petition stands dismissed.
- 8. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

22nd November 2024
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>