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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41969-2024 (O&M)
Date of decision: 29.08.2024

Mohit

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Satish Saini, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

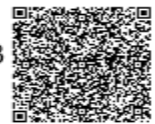
Mr. Ram Pal Verma, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing
FIR No.201 dated 19.07.2024 under Sections 376(2)(n) & 506 of the Indian
Penal Code, 1860 (for short 'IPC') and Section 6 of the Protection of
Children from Sexual Offences Act, 2012, registered at Police Station City
Jhajjar, District Jhajjar.

2. Learned counsel for the petitioner, *inter alia*, contends that the
petitioner and prosecutrix-respondent No.2 were in a consensual

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relationship and they continued with their relationship till 2021 even after she became major in November, 2021. The petitioner has been falsely implicated in the present case just to extort money and after filing a complaint on the same set of allegations, the prosecutrix and her husband had appeared before the jurisdictional police authorities and made a statement that relationship between the petitioner and the prosecutrix was consensual and the application given by her should be closed, as she did not intend to take any action against the petitioner. Her statement and police proceedings are available on record as Annexures P-2 & P-3, respectively.

3. *Per contra*, learned State counsel, assisted by learned counsel for respondent No.2-prosecutrix, opposed the prayer for grant of anticipatory bail to the petitioner on the ground that the petitioner has sexually exploited the prosecutrix by blackmailing her and he has continuously threatened the prosecutrix to circulate her objectionable video. When marriage of the prosecutrix was fixed, the petitioner sent that video to her brother. The petitioner did not relent and continued to blackmail the prosecutrix and even made a phone call to her husband. It is further contended that objectionable material is yet to be recovered and as such, custodial interrogation of the petitioner is required.

4. 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.

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5. The investigation is at the initial stage and objectionable material is yet to be recovered from the petitioner for a result oriented investigation. Thus, without commenting further on merits of the case, lest it may prejudice the case of either of the parties, present petition is dismissed.

29.08.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No