



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

**CRM-M-44300-2024 (O&M)**

**Date of decision: 12.09.2024**

RAJINDER SINGH TAGGAR

**...PETITIONER**

V/S

STATE OF PUNJAB

## ...RESPONDENT

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. R.S. Bains, Sr. Advocate with  
Mr. IPS Deol, Advocate for the petitioner.

Mr. Anurag Chopra, Addl. AG Punjab assisted by  
Mr. Gaurav Garg Dhuriwala, Advocate,  
Mr. Stephan Masih, Advocate and  
Mr. Sachit Jaiswal, Advocate for the complainant.

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**HARPREET SINGH BRAR J. (ORAL)**

1. This is the first petition filed under Section 439 of Cr.P.C. (Corresponding Section 483 of Bharatiya Nagarik Suraksha Sanhita) seeking grant of regular bail to the petitioner in case bearing FIR No. 0195 dated 14.06.2024 registered under Sections 354, 354-A, 354-B, 376, 506 and 509 of Indian Penal Code at Police Station Sohana, Mohali, District SAS Nagar.

2. The FIR(supra) was registered on the statement of complainant on the allegations that her name is Nilopher alias Shanaya and she is a resident of flat no. 8-A, Block A, First Floor, Mount Kailash Colony, Ghazipur road, Zirakpur, District S.A.S. Nagar. She has formed her own news channel in the name of *Nishpaksh Bharat* and in this channel, she, herself used to work as journalist. In this News line, she got introduced with Rajinder Singh Tagar (petitioner herein), owner of *Punjab Dastawez News Channel* and they became very much familiar to each other and used to chat with each other telephonically. In the month of March, 2024, she narrated about her to the petitioner that her loan is not being sanctioned, due to which she is not



telecasting any news, upon which Rajinder Singh Tagar sent an amount of Rs. 50,000/- at my residence through one boy and after receiving the amount, I sent message to Rajinder Singh Tagar that she is in receipt of money and then, Rajinder Singh Tagar stated that out of that amount, some of money was owed by him from some of his known and some amount has been contributed by him at his own and within a period of 7/8 month whenever she will fetch money, then she should return. Then, on dated 09.04.2024, she returned an amount of Rs.10,000/-, in cash, to Rajinder Singh Tagar at his house located in Sector 85. After some days of that, her son Ahem became ill and there was big problem of electricity cut in the area of Zirakpur, due to which she narrated the entire facts to Rajinder Singh Tagar, who asked her that she should bring the child at his house and there was much space, upon which, she looking for good health of her son, went to his house in Sector 85. Rajinder Singh Tagar had also provided one scooty to her for use. After 2/3 days of that, she took her child back to Zirakpur and after some days of that Rajinder Singh Tagar from his mobile phone no. 9417050169 sent some wrong and obscene messages on her phone through whatsapp. Rajinder Singh Tagar by sending obscene messages and is keeping evil eye upon her and has committed wrongful act with her. On the basis of aforesaid allegations, FIR(supra) was registered.

3. Learned counsel for the petitioner *inter alia* contends that the alleged incident is of the intervening night of 16-17 April 2024 and prosecutrix is a mature lady of 35 age of age with one child and she made the first complaint in writing against the petitioner on 04.06.2024 and no allegation with regard to committing of rape was made by the prosecutrix against the petitioner and thereafter on 11.06.2024, for the first time, allegations of rape was levelled. The Investigating Agency has procured call details from



12.02.2024 till 18.04.2024 and on every occasion, the call has been made by the prosecutrix to the petitioner and there is no medical evidence available on record to corroborate the case set up by the prosecution. It is further contended that petitioner is a reputed journalist and a public spirited person and he aired a news item highlighting as to how an influential politician (former Chief Parliamentary Secretary) has constructed multiple stories of flats by usurping the Government land in connivance with the Revenue authorities. The petitioner has aired the story not on the basis of any investigating journalism, rather some land owners have got the FIR registered against the said influential politician and petitioner has been falsely implicated in four different cases at his behest. The first FIR against the petitioner was registered on 27.01.2024, second was registered on 02.03.2024, third was registered on 09.05.2024 and fourth FIR(supra) has been registered on 14.06.2024 and petitioner is behind the bars since 26.04.2024. The investigating agency has already concluded the investigation and filed the final report under Section 173 Cr.P.C. before the jurisdictional Court. Learned counsel further contends that petitioner is on bail in all other FIRs and relies upon the orders passed by this Court in CRM-M-28371-2024 and CRM-M-27679-2024 (Annexures P-5 and P-7) respectively. Moreover, it would be a moot point to be determined by the learned trial Court as to whether the petitioner has committed rape upon the prosecutrix without her consent or not.

3. Mr. Gaurav Garg Dhuriwala, Advocate has filed the power of attorney on behalf of complainant. Same is taken on record.

4. Per contra, the learned State counsel assisted by learned counsel for the complainant opposes the prayer made by learned counsel for the petitioner on the ground that petitioner is a habitual offender and involved in



three other FIRs and keeping in view his antecedents, he is not entitled to grant of bail. Further the petitioner has sent an SMS to the prosecutrix on the next date after committing the rape upon her, stating therein that he felt sorry that he could not perform well and will satisfy her. As such it can be safely concluded that the petitioner has committed rape upon the prosecutrix against her will and petitioner is pressurizing the prosecutrix to withdraw the complaint filed in the present case.

5. Having heard the learned counsel for the parties and after perusing the custody certificate, it transpires that petitioner is behind the bars since 28.06.2024 and Investigating Agency has concluded the investigation and filed the final report under Section 173 of Cr.P.C. before the jurisdictional Court. Trial of the case is likely to take long time to conclude. No useful purpose would be served by keeping the petitioner in further incarceration. Culpability, if any, would be determined at the time of the trial.

6. In view of the ratio of law laid down by Hon'ble Supreme Court in **Prabhakar Tiwari Vs. State of UP and Anr.** 2020(1) RCR (Criminal) 831 and **Maulana Mohd. Amir Rashadi Vs. State of U.P. and Others** 2012(2) SCC 382, the involvement of accused in other criminal cases cannot be the sole ground to deny him the concession of bail.

7. In view of the above, without commenting upon the merits of the case and keeping in view the facts and circumstances of the case, the petitioner-Rajinder Singh Taggar is ordered to be released on regular bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of CJM/Duty Magistrate concerned.

8. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

9. It is made clear that in case the petitioner tries to contact the prosecutrix or pressurizes her to withdraw the complaint filed in the present case, either directly or indirectly, the respondent would be at liberty to move appropriate application seeking cancellation of the bail.

September 12, 2024

Ajay Goswami

(i) Whether speaking/reasoned

(ii) Whether reportable

(HARPREET SINGH BRAR)

JUDGE

Yes/No

Yes/No