

218

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-5233-2025 (O&M)
Date of Decision:- 19.02.2025

ROVIN KHAN

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Saleem Ahmed, Advocate for the petitioner.
Mr. Praveen Bhadu, AAG Haryana

SANJIV BERRY, J. (ORAL)

1. Reply dated 14.02.2025 filed in the form of an affidavit of Deputy Superintendent of Police, State Crime Branch (H), Panchkula is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. By way of present petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
09	20.11.2020	67, 67-A of the IT Act, 2008; 385 IPC; (420, 467, 468, 471, 201 IPC added later on)	Cyber Crime, Panchkula, District Panchkula



4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He contends that the petitioner has no concern with the allegations levelled in the FIR. He further contends that even the mobile numbers mentioned in the FIR, do not belong to the petitioner and even no amount was transferred in his account. He submits that the petitioner is ready to join investigation and has prayed for grant of anticipatory bail to the petitioner.

5. *Per contra*, learned State counsel while referring to the reply filed by the State has assailed these arguments by submitting that the petitioner had been nominated on the basis of disclosure statement of co-accused Angrej Khan, wherein the petitioner has been attributed specific role to have taken the mobile numbers mentioned in the FIR on fake documents and having uploaded the obscene video. He submits that even during the course of investigation, co-accused Aziz Khan has been joined, who had sold the said SIM cards to the petitioner. He submits that custodial interrogation of the petitioner is required to recover the mobile phone and also to unearth the *modus operandi* adopted by the petitioner in blackmailing the innocent citizens, hence prayed for dismissal of the petition.

6. After considering the rival contentions and perusing the record, it transpires that the FIR was registered on the complaint moved by the complainant claiming that he received a missed call from a number and at the same time, a video message was received on his WhatsApp number from another mobile number, wherein a girl was doing an obscene act and then he received a threatening message to send money through Googlepay or Paytm,



otherwise, the obscene video will be uploaded on the social media and made viral in the name of the complainant. Accordingly, the FIR was registered and subsequently during the investigation, co-accused Angrej Khan was joined in the investigation and being a juvenile he was sent to Observation Home and during the investigation, he disclosed that petitioner, being the person who had procured different SIM cards on the basis of fake documents, had been using the same in committing crime. Accordingly, the petitioner was nominated.

7. As stated above, there are specific allegations against the petitioner of having sent the obscene video to the complainant and also having sent threatening messages to him demanding money. The version of the petitioner that the SIM cards are not in his name has no consequence at this stage, keeping in view the specific version given by co-accused Angrej Khan and the SIM vendor Aziz Khan admitting the petitioner being the mastermind of the extortion racket.

7. Therefore, considering the nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequence, the petition is hereby dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

19.02.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No