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

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Date of Decision:- 29.04.2025

Jatin

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Abhinav Sood, Advocate
for the petitioner.

Ms. Ambika Sood, Addl. A.G. Haryana.

Mr. R.K. Chaudhary, Advocate for the complainant.

AMARJOT BHATTI, J.(Oral)

1. Petitioner Jatin has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case FIR No. 0485 dated 07.10.2024 under Section 115, 64(1), 351(3) of Bharatiya Nyaya Sanhita, 2023 registered at Police Station City Palwal, Tehsil and District Palwal.
2. As per the facts of the case, prosecutrix gave her statement that she was called by Jatin in front of Saraswati College who took her in his car to Agwanpur DEESET Hotel. He raised hand on her and developed forcible physical relations with her. He blackmailed her repeatedly for last many days and has spoiled her life.
3. Learned counsel for the petitioner argued that allegations

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levelled against him are false. Prosecutrix is major and she came in contact with him through Instagram. She started chatting with him with her free consent. On 07.10.2024, prosecutrix herself wanted to meet him. Prosecutrix willingly came to said hotel and had shown her Aadhaar Card to Manager. There was no coercion or force used on prosecutrix. There is CCTV footage in this regard, which is Annexure P-2. It was a pre-planned conspiracy and prosecutrix is demanding huge amount of Rs. 2 lacs. Copy of their Whatsapp chat is Annexure P-4. Without considering these facts, his anticipatory bail application was wrongly declined by learned Additional Sessions Judge, Palwal vide order dated 28.01.2025 (Annexure P-5). Petitioner is ready to join investigation. Therefore, his anticipatory bail petition may be allowed.

4. Status report filed. As per status report, facts are confirmed as detailed in FIR. Victim was medically examined. Copy of her MLR is Annexure R-2. Her statement was recorded under Section 183 BNSS, 2023, which is Annexure R-3. Prosecutrix produced copy of her marks-sheet (Annexure R-4) where her date of birth is mentioned as 01.01.2004. As per record of Agwanpur DEESET Hotel, room was booked in the name of both petitioner and prosecutrix. Petitioner is yet to join investigation and his mobile phone is yet to be recovered. Matter is still under investigation and his custodial interrogation is required.

5. I have considered the arguments and have gone through the record carefully. Petitioner has not disputed his visit to said hotel alongwith prosecutrix on 07.10.2024. As per his version, prosecutrix was consenting



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party and he is relying upon one CCTV footage and Whatsapp chat (Annexures P-3 and P-4). In the entire bail petition, petitioner has not disclosed number of his own mobile phone as well as number of mobile phone of prosecutrix. Therefore, alleged Whatsapp chat (Annexure P-4) at this stage cannot be looked into. It is rightly pointed out that mobile phone of petitioner is required to be checked to verify the allegations and counter allegations. He is required to join the investigation. Considering the gravity of offence, in my opinion petitioner is not entitled to be released on anticipatory bail and accordingly, his bail petition is dismissed.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

29.04.2025

lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No