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

CRM-M-21822-2025

Date of Decision:- 20.08.2025

UMESH

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Viren Sibal, Advocate for the petitioner.

Mr. Viney Saini, AAG, Haryana.

Mr. Ankit Yadav, Advocate fo the complainant.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.166 dated 02.05.2023 under Sections 354, 376, 376 (2) (n), 379-A, 506, 201 and 34 of IPC, registered at Police Station Bilaspur, Gurugram.

2. As per facts of the case, prosecutrix 'M' filed complaint that she is married to Pawan Kumar and is resident of village Kharkhadi, Tehsil Manesar, District Gurgaon. On 20.02.2023 Pawan and Umesh entered her house at about 11 pm when her husband and children were sleeping. Pawan tried to molest her and snatched her gold chain. Thereafter, both the culprits ran away who were having possession of illegal weapon. Her husband had lodged a report at Police Post Jamalpur but no action was taken by the police. About 1 ½ years ago when she was going towards her house, Pawan, Umesh and Sonu stopped her and told her that they were having objectionable photographs and videos prior to her marriage and forced her to develop physical relations with them. Otherwise, they would show the said



objectionable material to her husband and she would be defamed in the village. She kept quiet to save her marriage and the aforesaid persons taking undue advantage of her helplessness developed forcible physical relation with her. They were always threatening to viral her objectionable photographs on social media. She was continuously sexually exploited and lastly she was raped in January, 2023. Matter was reported to the police by her husband. Thereafter, they pressurized to withdraw the same. When her husband refused to withdraw, Pawan, Umesh, Sonu and some of their friends had circulated her objectionable photographs and videos everywhere. With these allegations, present FIR has been registered.

3. Learned counsel representing petitioner argued that all allegations levelled against him are false. Co-accused Pawan is already facing trial. There was no effort on the part of police to arrest him. All allegations levelled against him are false and baseless. He was granted relief vide order dated 12.05.2025 and accordingly he had joined the investigation. Therefore, it is submitted that his anticipatory bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State of Haryana. Detailed status report has been filed. Mr. Ankit Yadav, Advocate filed power of attorney on behalf of complainant and opposed the anticipatory bail petition filed by the petitioner. It is conceded that co-accused Pawan was arrested and challan was presented against him on 11.01.2024. Charges were framed on 19.02.2024 and at present six prosecution witnesses have been examined. Regular bail petition filed by co-accused Pawan was dismissed as withdrawn on 25.09.2024. So far as, present petitioner is concerned, he played active role in the commission of



crime. He is also involved in two other FIRs detailed in the status report. Considering the facts and circumstances of the case and gravity of offence, custodial interrogation is required. Therefore, anticipatory bail petition filed by the petitioner is opposed.

5. I have considered the aforesaid factual position. As per the contents of FIR as detailed above, present petitioner along with other co-accused is specifically named. FIR was registered long time back in May, 2023. Co-accused Pawan is already facing trial but there was no effort on the part of Investigating Agency to arrest the other co-accused. Role attributed to the present petitioner is the same as that of co-accused Pawan. As per the status report, custodial interrogation of petitioner is required to bring out the truth. There are specific allegations of circulating obscene photographs and videos. Therefore, considering the manner in which the offence has been committed and its gravity, I do not find a fit case for grant of anticipatory bail and his anticipatory bail petition is accordingly declined and interim relief granted in favour of petitioner vide order dated 12.05.2025 by the Coordinate Bench stands vacated.

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

(AMARJOT BHATTI)
JUDGE

20.08.2025

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