



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210+106

CRM-M-34237-2024 (O&M)
Date of decision : 16.07.2025

Harjot SinghPetitioner

versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Prateek Pandit, Advocates for the petitioner.
Mr. Anup Singh, A.A.G., Punjab.
None for the complainant.

NAMIT KUMAR, J. (ORAL)

CRM-26891-2005

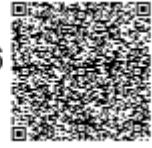
Prayer in the instant application filed under Section 482 of Code of Criminal Procedure, 1973 is for placing on record Annexure P-11 and exemption from filing certified as well as typed copy of the same.

Allowed as prayed for.

CRM-M-34237-2024

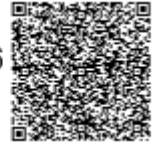
1. The petitioner has filed the instant petition under Section 439 of Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.81 dated 17.03.2024 registered under Sections 376, 506, 354-C, 354-D & 506 of Indian Penal Code, 1860 and Sections 66(E), 67 & 67(A) of Information Technology Act, 2000 at Police Station City Kapurthala, District Kapurthala.

2. Brief facts of the case are that the prosecutrix made a complaint to the police alleging therein that she is doing private job in

**CRM-M-34237-2024 (O&M)****2**

Maan Travel and Forex Pvt. Ltd., Kheeranwali. In the year 2019 she and Harjot Singh (the present petitioner) were friends, who was also studying in her school at Kheeranwali at that time. In the year 2022, they again started conversing on mobile phone NO.9914206895 of the petitioner and used to meet each other. On 09.03.2022, at about 11:30 a.m., the petitioner called her to meet at Kapurthala. He picket her in his car in front of Sainik School, Kapurthala and took her to P.M. Guest House, Circular Road, Kapurthala, where he forcibly developed physical relations with her without her consent and also made her indecent video secretly. Thereafter, he started calling her to meet by putting her under treat that in case she failed to bow to his demand, he will viral her indecent video. Under pressure, she kept on bowing to his demands and he sexually assaulted her time and again. On 11.03.2024, she came to know from her friend that her indecent video is viral from one contact to another on whatsapp. Then, she made phone call to the petitioner and questioned about the viral video, however, he instead of reply, blocked her. On the basis of said complaint, the instant FIR was registered.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He submits that the prosecutrix, who has been examined as PW-1 before the Trial Court, has not supported the case of the prosecution as in her statement, she admitted the facts that she and the petitioner were in mutual relationship and wanted to get married, however, due to their differences, the marriage could not take place. She further stated that the



petitioner never did any sexual assault upon her nor he prepared any indecent video and on 09.01.2025, she has seen the video for the first time in the Court and have come to know that some unknown person had edited and put her photo with artificial intelligence and prepared her false and fabricated videograph. She has further submitted that the police has obtained her signatures on the blank paper and on the basis of the same, the petitioner was made an accused.

4. Learned counsel for the petitioner further submits that the petitioner is in custody since 10.05.2024 and he is not involved in any other case. He also submits that the investigation in the present case is complete; challan stands presented and out of total 22 prosecution witnesses, only 01 i.e. prosecutrix has been examined so far. The trial is likely to take a considerable time to conclude and therefore, no fruitful purpose would be served by detaining the petitioner behind the bars.

5. Per contra, learned State counsel, has vehemently opposed the prayer for grant of regular bail to the petitioner on the ground that the allegations against the petitioner are serious in nature. However, he could not refute the factual position that out of total 22 prosecution witnesses, only 01 i.e. prosecutrix has been examined till date. He has also produced custody certificate dated 15.07.2025 in the Court which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 01 year and he is not involved in any other case.

6. I have heard learned counsel for the parties and perused the record.



CRM-M-34237-2024 (O&M)

4

7. Keeping in view the custody period of the petitioner, which is 01 year and 02 months and 05 days and the facts that PW-1 prosecutrix has not supported the case of the prosecution in her statement recorded before the Trial Court, challan has been presented; charges have been framed and out of total 22 prosecution witnesses, only 01 i.e. prosecutrix has been examined so far; the petitioner is not involved in any other case and the trial may take a considerable time to conclude, therefore, the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

8. The petition stands disposed of accordingly.

9. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

16.07.2025

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No