



CRM-M-32108-2025(O&M)

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

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CRM-M-32108-2025(O&M)

Decided on: 08.07.2025

RAVI TRIVEDI

... Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**PRESENT:** Mr. Sant Pal Singh Sidhu, Advocate
for the petitioner(s).

Ms. Mahima Yashpal, DAG, Haryana.

Mr. Yashdeep Nain, Advocate
for the complainant/respondent No.2.

KIRTI SINGH, J. (Oral)

Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.58 dated 03.05.2025 under Sections 123, 351(2), 64(1) of BNS, 2023, registered at Police Station Women Police Station, Panchkula, District Panchkula.

2. The allegations levelled against the present petitioner, as can be deduced from the aforesaid FIR, are that a complaint was moved by respondent No.2, alleging therein that she was working as a staff nurse in Ojas Hospital, Panchkula, where, in September 2023, she met the petitioner who was admitted there for treatment. It was then that the petitioner offered respondent No.2 a part-time job at the company, Pooja Consulation Company, where he was working at the post of General Manager. While working at that company, which she had joined in December 2023, respondent No.2 was asked by the petitioner, with whom she had become well acquainted for the reason of sharing a common work place, to visit the



office twice a week starting January 2024. In February 2024, the petitioner offered her a lift to home, however, instead of taking her home, he took her to an isolated place near Kundli Village, Sector 20, where he offered a cold drink and started sharing his personal stories, stating that he was unhappy with his married life. After taking a drink, she lost her consciousness, and when she regained consciousness, she realized that the petitioner had sexually assaulted her. When she threatened the petitioner to go to the police, he had shown photographs and videos of the incident and threatened to circulate the same to her husband and in-laws. After around 20 days, the petitioner called her for the company's work and stated that one Tarun would also be present along-with them. However, when she tried to enter the car, the petitioner suddenly accelerated, and she lost balance, and the car tyre ran over the greater toe of her right foot. She was rushed to Ojas Hospital by Tarun, where she underwent surgery. After recovery, she rejoined the company, and came to know that the services of the petitioner, who was also employed in the same company, had been terminated. On 16.04.2025, around 8:30 PM, the petitioner approached her again and threatened to circulate her photos and videos. Upon these allegations present FIR was registered.

3. Learned counsel for the petitioner *inter alia* submits that petitioner has been falsely implicated in the present case. It is submitted that the present FIR is a counter blast to the multiple complaints made by the petitioner to report the corrupt practices of certain individuals working at the company where the petitioner was previously employed. Further, there is a delay of more than 14 months from the date of the alleged incident in lodging of the FIR. Neither specific details qua the date and time of the alleged occurrence been specified, nor has any evidence come on record that indicates towards the complicity of the petitioner. There are major loopholes



in the version of the complainant, no explanation to which can be considered remotely plausible. The allegations of blackmailing respondent No.2 with her purportedly obscene images is also without any substance.

4. Per contra, learned counsel for respondent No.2 has vehemently opposed the submissions made by learned counsel for the petitioner. It is submitted that grave allegations of intoxicating respondent No.2 and thereafter establishing physical relations without her consent have been levelled against the petitioner. Not just this, the petitioner even went to the extent of threatening and blackmailing respondent No.2 with her objectionable photographs which the petitioner had captured at that time, because of which she had been constrained to not report the matter. However, when the petitioner did not stop with his antics, and again openly threatened respondent No.2 to circulate her private photographs, it was then that respondent No.2 was left with no other option but to report the matter to the authorities.

5. Learned State Counsel, while relying upon the contents of the status report by way of an affidavit filed by Assistant Commissioner of Police, Panchkula dated 30.06.2025, submits that grave and serious allegations of committing sexual acts with the complainant when she was in an intoxicated condition, which was purportedly laced with an intoxicating substance, have been levelled against the petitioner. It has also been alleged that the petitioner has been blackmailing the complainant and threatening to release and circulate her objectionable photographs. It is submitted that after the registration of the FIR, the investigation was conducted in a fair and impartial manner. During the course of investigation, statements of witnesses were recorded and the place of occurrence was duly demarcated. The Medico-Legal Report (MLR) of the petitioner was also prepared. Furthermore, even in her statement made under Section 183 of the BNSS



before the trial Court, the complainant reiterated all the allegations levelled against the petitioner. Thus in view of the serious allegations does deserve the concession of anticipatory bail.

6. Heard the rival submissions made by both the parties.

7. In ***Srikant Upadhyay and others vs. State of Bihar and another, 2024 (INSC) 202 (SC)***, Hon'ble Supreme Court held as under:

*“It is thus obvious from the catena of decisions dealing with bail that even while clarifying that arrest should be the last option and it should be restricted to cases where arrest is imperative in the facts and circumstances of a case, the consistent view is that the grant of anticipatory bail shall be restricted to exceptional circumstances. In other words, the position is that the power to grant anticipatory bail under Section 438, Cr.P.C. is an exceptional power and should be exercised only in exceptional cases and not as a matter of course. Its object is to ensure that a person should not be harassed or humiliated in order to satisfy the grudge or personal vendetta of the complainant. (See the decision of this Court in *HDFC Bank Ltd. v. J.J.Mannan & Anr. 2010 (1) SCC 679*).*

*Further, it was clearly observed in para NO. 24 of the judgment (supra) that “**though in many cases it was held that bail is said to be a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule.** It cannot be the rule and the question of its grant should be left to the cautious and judicious discretion by the Court depending on the facts and circumstances of each case. While called upon to exercise the said power, the Court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence. We shall not be understood to have held that the Court shall not pass an interim protection pending consideration of such application as the Section is destined to safeguard the freedom of an individual against unwarranted arrest and we say that such orders shall be passed in eminently fit cases. At any rate, when warrant of arrest or proclamation is issued, the applicant is not entitled to invoke the extraordinary power. Certainly, this will not deprive the power of the Court to grant pre-arrest bail in extreme, exceptional cases in the interest of justice. But then, person(s) continuously, defying orders and keep absconding is not entitled to such grant.”*

8. In ***Sushila Aggarwal v. State (NCT of Delhi) (2018) 7 SCC 731***, the Constitution Bench reaffirmed that when considering applications for anticipatory bail, Courts should consider factors such as the nature and



gravity of the offences, the role attributed to the applicant, and the specific facts of the case.

9. The general rule, put tersely, may be of bail, no jail; however, a just exception may be taken where there are circumstances which might thwart the course of justice. The antecedents of the accused or the probability of the accused fleeing, intimidating witnesses or tampering with the evidence, inter alia, weigh in heavy before the Court when dealing with a petition for the grant of anticipatory bail.

10. *Prima facie*, there are serious allegations against the petitioner of administering intoxicating substances to the victim/complainant and thereafter committing sexual assault upon her. The petitioner is also alleged to have blackmailed the complainant by threatening to disseminate obscene material, including photographs of the prosecutrix, the latest incident purportedly being on 16.04.2025. The veracity of the allegations and the grounds raised herein by the petitioner are factual aspects, which will be ascertained in due course. Therefore, this Court is not inclined to grant the discretionary relief of anticipatory bail to the petitioner in the present case, wherein custodial interrogation of the petitioner might be required to unearth the true dimension of the alleged occurrence.

11. In the light of the foregoing discussion, the instant petition stands dismissed.

12. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

08.07.2025

Kavita

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No