



CRM-M-46873-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46873-2024

Date of Decision:- 03.07.2025

Rajesh alias Goldy

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Vipul Joshi, Advocate
for the petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

Mr. M.R. Sharma, Advocate
for the complainant.

AMARJOT BHATTI, J.(Oral)

1. Petitioner – Rajesh alias Goldy has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 439 of Code of Criminal Procedure, 1973 for grant of regular bail in FIR No. 214 dated 26.09.2023 (Annexure P/1) under Section 376(2)(n), 376(D), 506 read with Section 34 of Indian Penal Code, 1860 registered at Police Station Rajound, District Kaithal, Haryana.

2. As per the facts of case, prosecutrix filed written complaint against Mandeep, Rajesh, Vikas and Sahil for blackmailing her by preparing her obscene videos, committed rape and stolen her valuables from the house. Prosecutrix alleged that main accused was Mandeep, whereas, Vikas and Sahil used to blackmail her by sending videos. Prosecutrix has stated that she was raped on 08.10.2022 in Village Bhalang



and was blackmailed by making her obscene video. Again on 04.11.2022, she was raped. On 01.07.2023, her valuables were taken away from her house. She was continuously threatened in case she opened her mouth. Finally, she filed application with Women Police Station, Kaithal. No proper investigation was carried out. Infact, said culprits admitted their guilt in Panchayat. Complainant alleged that she was not satisfied with investigation carried out on her complaint. Finally, present FIR was registered.

3. Learned counsel for petitioner argued that as per contents of FIR, main allegations were levelled against one Mandeep. Name of present petitioner cropped up when her statement was recorded under Section 164 Cr.P.C. (Annexure P/2). He is behind the bars since 03.11.2023. Challan is already presented in this case. Now statements of two witnesses have been recorded i.e. prosecutrix as PW-1 (Annexure A/1) and testimony of husband as PW-2 (Annexure A/2). Other co-accused Vikas Gir was granted anticipatory bail by the Coordinate Bench in CRM-M-21033-2024 (O&M) vide order dated 18.07.2024 (Annexure P/4). Whereas, one of the juvenile was also granted bail by learned Additional Sessions Judge, Kaithal vide order dated 02.09.2024 (Annexure P/5). Petitioner is behind the bars for the last more than two and a half years. Trial in this case may take long time. He will abide by the terms and conditions of bail order imposed by this Court. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Detailed status report has been filed. Matter was investigated by Special Investigation Team and thereafter, FIR was registered and challan is



already presented. Present petitioner is attributed specific role. From his possession, mobile phone was recovered which was already formatted and thereafter, it was sent to Forensic Science Laboratory, Madhuban and Cyber Forensic Laboratory, Panchkula and report is still awaited. It is confirmed that trial in this case is going on. Other material witnesses are yet to be examined. Therefore, considering the gravity of offence, petitioner is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. Present petitioner alongwith other co-accused are facing trial. It is matter of record that petitioner is behind the bars since 03.11.2023. Two of the material witnesses have been examined. Other witnesses are yet to be examined. There are specific serious allegations of sexual exploitation of victim by petitioner alongwith others by putting her under threat and blackmailing her continuously. Status report indicates that one mobile phone is also recovered which has been sent to Cyber Forensic Laboratory, Panchkula. Reports of FSL, Madhuban and CFL, Panchkula are still awaited. Considering the gravity of offence and manner in which it has been committed, I do not find it appropriate to release petitioner on bail and his regular bail petition is, accordingly, dismissed. However, considering the custody period, learned trial Court is directed to expedite the trial by giving reasonable dates.

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

03.07.2025

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No