



CRM-M-62212-2024

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

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CRM-M-62212-2024

Date of decision: 6th February, 2025

Baljeet

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Lalit Kumar Yadav, Advocate for the petitioner.
Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 248 dated 01.10.2024 registered under Sections 308(6) read with Section 3(5) with offences 308(2) and 308(7) and Section 61 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') having added later on at Police Station City Dadri, District Charkhi Dadri.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a complaint lodged by the complainant Bhoop Singh on the allegations that on 21/22.09.2024, he received a phone call on his cell phone. The caller who was a female started conversating with him on regular basis and within a span of 2-3 days, she started making sexually explicit conversation with him. She induced him to come to meet him on 25.09.2024. The complainant had gone to meet her at the informed place, wherein a female met him. She



boarded on the motor bike of the complainant. After covering some distance, the complainant was followed by one male and one female, who reached there on a motor bike and by intercepting him and stopping him, they started levelling allegation of committing rape by him. On that pretext, those two persons and the female who had come with him, started blackmailing him and raised demand of a sum of Rs. 27,00,000/-. They extorted a sum of Rs. 10,000/- which was lying in his pocket and he was also made to withdraw cash amount of Rs. 1,90,000/- from his bank account to give the same to them. They also started extending threats to the complainant on his phone thereafter, also thereby asking him to part with more money. Compelled with the threats so extended, the complainant reported the matter to the police.

3. After registration of FIR, investigation proceedings were initiated. A raiding party was prepared. The complainant gave currency notes of Rs. 70,000/- and serial number of those notes were noted down by the members of the raiding party. The complainant was asked to hand over those notes to the persons who were trying to extort money from him. The complainant reached at the informed place. The co-accused Kavita had reached at the informed place to receive money from the complainant. She was caught red handed at the spot with the tainted amount of money. She was interrogated and suffered disclosure statement, on the basis of which, the present petitioner and co-accused Rekha were nominated as accused. The petitioner was arrested on 16.10.2024. He was also interrogated and suffered disclosure statement admitting his involvement in the subject crime. An amount of Rs. 5,000/- was recovered from him. Investigation has since been



concluded and challan stands presented before the Court.

4. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused. A false recovery has been planted upon him and infact, no recovery has been effected at his instance. He is in custody since 16.10.2024. Trial is likely to take time. His further detention would not serve any useful purpose. Therefore, it is urged that he deserves to be extended benefit of bail.

5. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Haryana that the complicity of the petitioner in the commission of the aforementioned offences stands *prima facie* established. There was exchange of calls between the co-accused and the petitioner on the day of occurrence as well as on the following dates. The petitioner had also made calls to the co-accused Kavita who was apprehended at the spot. As many as 56 calls have been exchanged between the co-accused and the petitioner during the time of occurrence. Infact, he is the kingpin of the entire racket. His presence is shown in the CCTV footage of the camera installed in the vicinity from where the co-accused had been apprehended. The allegations against him are serious in nature. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioner is alleged to have hatched a conspiracy with the co-accused and in pursuance of the said conspiracy, he is alleged to have



honey-trapped the complainant by making the co-accused induce the complainant to meet with her and then by putting the victim in fear of an accusation of having committed offence of rape with the co-accused Kavita with an intent to extort money on the same pretext and is alleged to have extorted money from him as well. The call details record of the petitioner has been collected during investigation which shows that it was his mobile which was used by the co-accused Kavita for sextortion of the complainant. His presence at the place of occurrence has even been established from the CCTV footage. The allegations against the petitioner are quite serious in nature. His complicity in the commission of the subject offences is *prima facie* established from the material collected during investigation. Trial has commenced. There is nothing on record to show that there would be any undue delay in conclusion of the same. Rather the same may be expedited. Keeping in view the nature of the allegations as levelled against the petitioner and the above discussed facts and circumstances, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

6th February, 2025
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No