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

CRM-M-63944-2024

Date of Decision:- 28.04.2025

Sumit

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

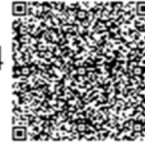
Present:- Mr. Aman Pal, Advocate
for the petitioner.

Ms. Ambika Sood, Addl. A.G. Haryana.

Mr. Raj Kumar Chauhaan, Advocate with
Mr. Yuvraj Singh Chauhan, Advocate
for the complainant.

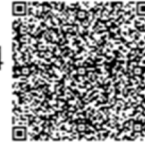
AMARJOT BHATTI, J.(Oral)

1. Petitioner Sumit has filed anticipatory bail petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No. 881 dated 20.11.2024 under Section 313, 328, 376(2)(n), 377 and 506 of IPC registered at Police Station Karnal Sadar, District Karnal.
2. Facts of the case are prosecutrix filed written complaint alleging that she was serving as Constable in Haryana Police. In the year 2019, during training she came in contact with PSI Sumit. She was unmarried and got friendly with PSI Sumit who promised to marry her. In the year 2019, PSI Sumit took her to Vivaan Hotel, where after consuming cold drink she felt dizzy and became unconscious. Taking advantage of



this, PSI Sumit committed rape with her. He showed her nude video and photographs and further threatened that in case she told anybody then she would be killed and said videos would be put on net. He further stated that whenever he called her, she will have to come. Fearing disgrace in department, she did not tell anybody. By threatening her to release her videos, she was repeatedly called and was raped. During this period, she became pregnant twice and at the instance of accused she had to go for abortion. PSI Sumit provided her with 5-pill MTP kit causing repeated abortions. Later on, she learned that marriage of PSI Sumit was already fixed. He has deceived her with false promise of marriage and ruined her life. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner raised the arguments that alleged incident took place in the year 2019 and present FIR has been registered on 20.11.2024. Complainant was also serving in Police Department. Stand taken by her cannot be believed that she was under constant threat. Police has collected record from Hotel Vivaan, Karnal regarding their visit on 18.01.2022 and it was found that visiting register was signed by both the parties. Photographs produced before the Investigating Agency clearly shows that she was taking selfie from her own mobile phone. It clearly shows that their relationship was consensual. Police has collected record from MKD Savoy Green Hotel, Karnal where they visited once and no food item was purchased. Complainant got married in the year 2021. Even then she continued with this relationship. Allegations levelled by complainant are without merits. Whatsapp chats



(Annexure P-2) further reveal that their relationship was mutual and consensual. Once her husband came to know about this relationship, she filed this false FIR. In fact, complainant is raising demand for huge money. Petitioner was granted *interim* bail vide order dated 18.12.2024 and accordingly, he has joined investigation. He has handed over his phone to Investigating Agency. Learned counsel for petitioner has placed on record copy of order in petition for cancellation of *interim* bail by filing CRM-M-2125 of 2025 which was declined on 20.01.2025 (Annexure P-5). Petitioner is ready to abide by terms and conditions of bail order. Therefore, *interim* bail already granted in his favour may be confirmed.

4. Bail petition is opposed by learned counsel representing complainant. It is pointed out that there are serious specific allegations against petitioner who is a police official. Matter requires thorough investigation which is still going on. Petitioner is extending threat and may cause interference in investigation. It is submitted that he is not entitled to be released on anticipatory bail.

On the other hand, learned counsel representing State confirmed that petitioner has already joined investigation and he is not required for further investigation.

5. I have considered the arguments and have gone through the record carefully. It is matter of record that petitioner was granted *interim* bail by the Coordinate Bench vide order dated 18.12.2024. Petition filed by complainant for cancellation of *interim* bail has been declined as referred above vide order dated 20.01.2025 (Annexure P-5). Regarding the



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allegations, matter is still under investigation. As per FIR, relationship started from the year 2019 and present FIR has been registered on 20.11.2024. As per learned counsel representing State of Haryana, petitioner has joined investigation and he is not required for further investigation. Therefore, no purpose would be served by sending petitioner behind the bars. Without going on the merits, *interim* bail already granted in favour of petitioner vide order dated 18.12.2024 stands confirmed, subject to terms and conditions as enshrined under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

- 6. Petition is accordingly, allowed.
- 7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

28.04.2025
lalit

(AMARJOT BHATTI)
JUDGE

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