



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.217

CRM-M-26109-2026
Decided on : 21.05.2026

Mahi Chaudhary @ Gomti

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. P.S.Paul, Advocate
for the petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.0095 dated 21.04.2026, registered under Sections 308(6), 123, 111, 61(2) of BNS, 2023, at Police Station Division-B, District Amritsar.

2. Brief facts, as per the prosecution case, are that the petitioner alongwith co-accused after giving intoxicant substance to the complainant and his friend Rakesh Arora, prepared their objectionable videos and after blackmailing by the said videos, extorted Rs.6,60,000 from them and further demanded Rs.35 lacs. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. He further contends that the allegations levelled against the petitioner are false and she has no concern with the said offence. Learned counsel contends that the occurrence took place on 01.04.2026 and the FIR was lodged on 21.04.2026

he, after an unexplained delay of 20 days, which makes the prosecution



version highly improbable. He further contends that there is nothing on record to prove that the complainant party paid the said amount to the petitioner. Learned counsel contends that if the prosecution version is taken to be true, even then the only allegation levelled against the petitioner is that she demanded the money from the complainant party. He further contends that there is nothing on record to connect the petitioner with the alleged offence. No recovery is to be effected from the petitioner, and her custodial interrogation is not required. Learned counsel also submits that the petitioner is ready and willing to join the investigation as and when called upon to do so by the Investigating Agency and shall fully cooperate with the investigation. On these grounds, it is prayed that the present petition be allowed.

4. On the other hand, learned State counsel has filed the status report, which is taken on record. She, while referring to the said status report, has opposed the prayer for grant of anticipatory bail by submitting that the allegations levelled against the petitioner are serious in nature. She contends that the petitioner in conspiracy with co-accused called the complainant and his friend in a hotel and after giving them intoxicant substance; prepared their objectionable video and after threatening and blackmailing by the said video, extracted huge amount from them. She further contends that the petitioner continuously contacted the complainant party through phone calls and whatsapp calls and further demanded Rs.35,00,000/-. Learned State counsel submits that the petitioner has been specifically named by the co-accused in their disclosure statements regarding her active participation and sharing of the extorted money. Thus, the petitioner does not deserve any concession from this Court.



5. Having heard learned counsel for the parties at length and after perusing the record, it is evident that the allegations levelled against the petitioner are serious in nature. The petitioner in conspiracy with co-accused called the complainant and his friend in a hotel and after giving them intoxicant substance; prepared objectionable video and after threatening and blackmailing them with the said video, extracted huge amount. She continuously contacted the complainant party through phone calls and whatsapp calls and demanded further an amount of Rs.35,00,000/-. The petitioner has been specifically named by the co-accused in their disclosure statements regarding her active participation and sharing of the extorted money. This Court is sanguine of the fact that while considering the petition for anticipatory bail, it is required to consider the overall nature of offence and accusation against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection, at this stage. Granting anticipatory bail with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine and seriousness of the alleged act. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

6. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to



refer herein judgment of Hon’ble Supreme Court in ‘*State Vs. Anil Sharma*’, (1997) 7 SCC 187, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

7. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is hereby dismissed.

8. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

21.05.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No