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

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**CRM-M-12981-2025  
Decided on:- 25.08.2025**

**Akshay**

....Petitioner

**Versus**

**State of Punjab**

....Respondent

**CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present:- Mr. Preetinder Singh Ahluwalia, Advocate and  
Mr. Deepinder Singh Virk, Advocate  
for the petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

Mr. Vinod Ghai, Senior Advocate with  
Mr. Arnav Ghai, Advocate  
for the complainant.

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**AMARJOT BHATTI, J.(Oral)**

1. Petitioner Akshay has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case FIR No. 43 dated 06.02.2025 (Annexure P/2) registered at Police Station City Kharar, SAS Nagar, Mohali, for the offence punishable under Section 64, 115(2) and 351(3) of Bharatiya Nyaya Sanhita, 2023 (in impugned order as well as in Zero FIR Section 63(a) of BNS, 2023 has also been mentioned).

2. As per the facts of case, prosecutrix 'SM' filed written complaint that she was married to Amit Khanna. She is DJ Artist by profession. In December, 2018, she came to Mohali to perform in a club namely Walking Street, where she met Akshay Kumar. After programme,



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she accompanied Akshay Kumar for dinner, who made drink for her which was laced with some intoxicant. After consuming said drink, she became unconscious and taking advantage, Akshay Kumar developed physical relations with her and also prepared a video. He repeatedly called her from Delhi to Mohali by giving threats regarding said video. Since she was DJ Artist and had seen her income, out of greed and by threatening to viral said video, he got her divorced from her husband. During this period, she got pregnant and he pressurized her to abort the child, to which she did not agree. She was beaten up and threatened by Akshay Kumar. Finally, she gave birth to a girl child on 17.04.2020. Despite her request to marry her, he did not agree to it and kept on exploiting her physically by alluring to marry her. Said Akshay Kumar was involved in several cases under Section 420 of IPC and under Section 307 of IPC. Finally, he left the house on 07.09.2024. She was afraid that he may not cause any harm to her daughter. She disclosed the truth to her business partner Shравan Mehrotra resident of Kaal Bhairav, Varanasi, who suggested her to report the matter to police. With these allegations, Zero FIR No. 5001 dated 05.01.2025 (Annexure P-1) was registered at Police Station Kotwali, District Kashi and thereafter, case was transferred to SAS Nagar, Mohali, as a result, present FIR No. 43 dated 06.02.2025 (supra) (Annexure P-2) was registered.

3. Learned counsel for petitioner argued that in a clever manner, Zero FIR was registered at Police Station Kotwali, District Kashi, which was later on transferred to Police Station City Kharar, SAS Nagar. Infact, no incident had taken place at Kashi. All allegations levelled in FIR are false and without any basis. As per version of prosecutrix, she came in contact with petitioner in December, 2018 and she remained silent till



lodging of present FIR. Prosecutrix has concealed material facts. When petitioner came in contact with prosecutrix, divorce proceedings with Amit Khanna were already going on. They had taken divorce with mutual consent. Prosecutrix contacted petitioner for help when she needed work. They worked together on various events and grew closer. They entered into a live-in relationship. Out of this relationship, a girl child was born on 17.04.2020, who is studying in a school at Mohali. Copy of her School Identity Card is Annexure P-3. They stayed together till October 2021 and thereafter, prosecutrix went to Doha, Qatar, from where she returned after about one year i.e. in the month of October 2022. In her absence, he alongwith his family looked after the girl child. On her return from Doha, she was introduced with family and she used to attend all family functions and social events together. Photographs are Annexure P-5. Prosecutrix was not having good habits. Apart from this, she was having affair with other persons in his absence, as a result, dispute started and eventually, he opted to step out of this live-in relationship on 02.04.2024. Even thereafter, he was being harassed by prosecutrix to involve him in false cases. He gave legal notice dated 25.07.2024 (Annexure P-6). He also gave representation to Senior Superintendent of Police, Mohali, Punjab (Annexure P-7). All allegations levelled by prosecutrix regarding rape by giving her some intoxicant or preparing obscene video are false and without any basis. Both of them were in consensual relationship.

4. On the other hand, anticipatory bail petition filed by petitioner is opposed by learned counsel representing complainant as well as State counsel. It is pointed out that prosecutrix was DJ Artist and petitioner was fully aware of her profession and her habits. All allegations levelled against



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her are without any basis. Petitioner levelled false allegations against prosecutrix that she was having relationship with one person namely Sunny, who was infact her driver and used to take care of her daughter in her absence. Petitioner has tried to defame prosecutrix. Regarding dispute with Sunny, one FIR No. 291 dated 12.11.2024 (Annexure P-8) was registered by Sunny against petitioner at Police Station Kharar, SAS Nagar, Mohali. Driver of prosecutrix had suffered injuries, as a result, prosecutrix got scared. Finally, with assistance of her partner Shravan Mehrotra, matter was reported to police. Petitioner has committed serious offence, therefore, he does not deserve concession of anticipatory bail.

5. Learned counsel representing State filed separate status report confirming the registration of FIR with allegations as detailed therein. Petitioner is involved in two other FIRs and one complaint case as detailed in para No. 8 of status report. Matter is under investigation and petitioner is yet to be arrested. In order to complete the investigation, his custodial interrogation is required.

6. I have considered the arguments and have gone through the record carefully. It is not disputed that prosecutrix came in contact with petitioner in December 2018 and their relationship continued till end of 2024. As per petitioner, he stepped out of this relationship on 02.04.2024. It is also matter of record that later on, on the statement of Sunny, FIR No. 291 dated 12.11.2024 was registered under Section 115(2), 126(2), 351(2), 324(4), 3(5) of Bharatiya Nyaya Sanhita, 2023 (Annexure P-8). Out of this relationship, prosecutrix and petitioner have a daughter, born on 17.04.2020. It is further not disputed that when prosecutrix had gone to Doha in connection with her professional obligation, child was looked after



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by petitioner and his family. There are photographs (Annexure P-5) of prosecutrix and petitioner alongwith their daughter while attending social functions. Aforesaid facts and circumstances indicate that their relationship was consensual till the dispute started in the year 2024. It will not be appropriate to state anything regarding the allegations and counter allegations levelled by both the parties against each other, as same is matter of trial. So far as registration of other FIRs is concerned, those will be decided on their own merits. Petitioner is ready to join investigation as and when required. No purpose would be served by sending him behind the bars. Therefore, anticipatory bail petition filed by petitioner Akshay is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Pending application(s), if any, also stands disposed of accordingly.

**25.08.2025***lalit***(AMARJOT BHATTI)  
JUDGE**

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