

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

Crl.Misc.No.M-13164 of 2015

Date of decision : 4.8.2015

Nitin Pawar

....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.Rajesh Arora, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

.....

MAHESH GROVER, J.

This is a petition under Section 439 Cr.P.C for release of the petitioner on bail in terms thereof in a case registered vide FIR No.13 dated 15.1.2015 under Sections 387, 120B IPC at Police Station Sector 56, District Gurgaon.

The petitioner is accused of demanding an amount of Rs.20 lakh, failing which he threatened the complainant with death of his daughter. Serious allegations of extortion have been made against the petitioner.

Learned counsel for the State on 1.5.2015 had stated that voice sample of the petitioner has been sent for the appropriate test in the laboratory and report was not available. The matter was adjourned to 20.7.2015, on which date similar prayer was again

made. This court then adjourned the matter to today i.e. 4.8.2015 and a similar prayer has been made once again. In the considered view of this Court this is sheer laxity on the part of the respondent to carry out the investigation in the matter of such a serious nature. The court cannot keep the liberty of persons on hold infinitely. Two opportunities since May have been given to the respondent for the purpose with no concrete results. The petitioner is in custody since January 2015 and his co-accused has already been enlarged on bail.

Finding that there is an acute lapse on the part of the respondent itself, I am of the view that the petitioner cannot be kept in custody for the failure of the respondent. Hence noticing the period of custody and the failure of the respondent, I deem it appropriate to accept the petition and grant the concession of bail to the petitioner. The trial court shall ensure heavy surety to obviate the chances of default.

Bail to the satisfaction of the trial court.

Petition allowed.

4.8.2015

(MAHESH GROVER)
JUDGE

dss