

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

CRM No. M-17237 of 2015

Date of decision:- July 13, 2015

Satbir Singh

.....Petitioner..

Vs.

State of Haryana

....Respondent..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Arun Singal, Advocate,
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

JASPAL SINGH, J.

This petition has been directed by Satbir Singh son of Malkhan Singh under Section 439 of the Code of Criminal Procedure for grant of regular bail, in case a registered against him alongwith his other co-accused, vide FIR No. 656, dated 01.08.2011, on accusation of having committed offences punishable under Sections 384, 420, 467, 468, 471, 120-B 376 (2) (G) IPC, Sections 7/13/49 of the Prevention of Correction Act, 1988 as well as under Sections 3/4/5 of the Immoral Trafficking Act, registered at police Station Chandni Bagh, Panipat.

2. As per the allegations, petitioner-Satbir Singh has illicit relations with his co-accused Sunita Sharma. She used to operate

his mobile phone No. 98127-82155 to extend threats to innocent people by levelling false allegations of rape, in order to extract money from them. He is also stated to have extracted money more than Rs.1.5 lacs from innocent persons and blackmailing them by levelling false allegations of rape qua them.

3. Contention of learned counsel for petitioner is that petitioner has been falsely implicated in the instant case by the then DSP (Traffic) on the statements of Nafey Singh and Karambir, who are not victims of any offence. They have been projected as witnesses by DSP (Traffic) only to falsely involve the petitioner. Even said witnesses have not named the petitioner as an accused. Moreover, there is no allegation of rape qua the petitioner, even as per the statement of complainant or that of Nazish recorded under Section 164 Cr.P.C. The only allegation against the petitioner is that he was driver of car of Sunita Sharma and his mobile phone was used by Sunita Sharma. However, it is an undisputed fact that co-accused of the present petitioner namely Mohal Lal Saini, Ms. Jyoti, Ms. Poonam, Ms. Kamla and Partap have already been granted the concession of bail vide different orders passed by this Court. The case of the present petitioner is also not on different footings than those, who have already granted the concession of bail. The prime accused in this case is Sunita Sharma, who is already behind the bars. Disposal of trial is not likely in the near future and would take sufficient long time. Moreover, it would not be desirable to keep the petitioner behind the bars for such a long time, especially keeping in view the fact that he is suffering incarceration since April 13, 2012

i.e. for the last more than 2 years and three months

4. Taking into consideration all the aforesaid aspect of this case and without expressing any opinion on the merits of the case, petition is allowed and petitioner- Satbir Singh is ordered to be released on bail, during pendency of trial, at the satisfaction of trial court/Duty Magistrate, Panipat.

**(JASPAL SINGH)
JUDGE**

July 13, 2015
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