

Sr. No.104

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-20870 of 2016 (O&M)

Date of Decision: 14.06.2016

Shakti Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Vikram Singh Narwal, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

The present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.89 dated 02.09.2015, under Sections 384, 342, 323, 506, 120-B of Indian Penal Code, registered at Police Station Sector 19, Panchkula, District Panchkula.

Complainant is S.P.Gupta who claims to own a chemist shop under the name and style of Shivam Medicare at Panchkula.

As per allegations levelled by the complainant co-accused Amarjit Kapoor as also his employees is running a NGO (Non-Government Organization) under the name and style of Live Seva Sangathan and under the pretext of social work of unearthing sale of spurious and unlicensed drugs are indulging in extortion of money from the chemists in city Panchkula. Specific allegation is that an attempt was made for extorting Rs.5 lacs from the complainant party and ultimately the matter was settled for Rs.1 lac. There is stated to be a voice recording with regard to such demand and settlement by the son of the complainant.

Counsel for the petitioner would argue that the allegations if at all are against Amarjit Kapoor who was running the NGO whereas the present petitioner was only an office boy.

Having heard counsel for the petitioner at length, this Court is of the considered view that concession of pre-arrest bail cannot be extended to the petitioner. As per allegations, modus operandi of extortion of money was by main accused Amarjit Kapoor and with the help of his employees. These are matters which would require to be properly investigated and may also entail custodial interrogation of the present petitioner so as to complete the chain of investigation.

Keeping in view the nature and gravity of the alleged offence, no case for grant of anticipatory bail is made out.

It may also be noted that the prayer for grant of concession of pre-arrest bail to co-accused Amarjit Kapoor has already been declined by a coordinate Bench of this Court in the light of order dated 13.01.2016 passed in CRM No.M-1099 of 2016.

Petition dismissed.

14.06.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE