

Date of Decision : 21.01.2016

versus

....Respondent

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Present: Mr. Gurmeet Singh Saini, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, JUDGE (ORAL)

This order will dispose of two applications for grant of pre-arrest bail one filed by Surinder Singh (CRM-M-44399-2015) and the other by Balwinder Singh @ Nikka (CRM-M-63-2016).

The FIR was registered at the instance of Mukhtiar Singh alleging that Balwinder Singh had developed illicit relations with his wife and he had prepared objectionable video and threatened to upload the video on Whats App in case a sum of Rs. 1,00,000/- is not paid to him. On account of money having not been paid, the video was uploaded and sent to villagers on Whats App.

Learned counsel for the petitioners has vehemently contended that the petitioners have been falsely implicated in the case. In support of his contention, he relies upon registration of an FIR No. 189 of 14.11.2015 in which a

criminal case has been registered against the complainant party by father of the petitioners.

I have heard learned counsel for the petitioners, State counsel and carefully gone through the police file which contains a CD and the statement of complainant Mukhtiar Singh.

There are serious allegations against petitioner Balwinder Singh @ Nikka of having maligned the modesty of wife of the complainant by displaying the objectionable video clip. I have also considered the contention of learned counsel for the petitioner Balwinder Singh @ Nikka regarding registration of another FIR at the instance of the father of the petitioners regarding trespassing and outraging the modesty of lady in the house. The said FIR appears to be a counterblast to the FIR registered by Mukhtiar Singh in order to pressurize the complainant. No ground is made out to grant of concession of pre-arrest bail to petitioner Balwinder Singh @ Nikka. His petition (CRM-M-63-2016) for pre-arrest bail is dismissed.

So far as petitioner Surinder Singh is concerned, it appears that the main allegations are against Balwinder Singh @ Nikka and Nanak Singh who had facilitated the creation of the objectionable video. Petition of Surinder Singh (CRM-M-44399-2015) is allowed. It is ordered that in case of arrest of Surinder Singh, he shall be released on bail to the satisfaction of the arresting officer subject to the condition that he will not in any manner tamper with the evidence or threaten the witnesses.

(M.M.S. BEDI)
JUDGE

21.01.2016

Neha