

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.8121 of 2016

Date of Decision:-14.03.2016

Umed Singh.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. G.S. Sandhu, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner-Umed Singh in case FIR No.43 dated 8.1.2016 for offences punishable under Sections 383, 384, 389, 120-B and 34 of Indian Penal Code registered with Police Station City Karnal.

As per allegations levelled by the complainant Tanjeb, resident of District Shamli, U.P. On 28.12.2015 he was travelling along with Satbir Singh and had given lift to two co-accused ladies Reshma @ Ruksana and Aashma who thereafter tried to extort an amount of Rs.10 lacs under the threat of false implication of rape.

It is alleged that apart from the two ladies, the husband of Aashma, namely, Pappu and the petitioner-accused Umed Singh are jointly involved in the racket of indulging in blackmailing innocent people.

It is contended that FIR has been lodged after a delay of 11 days and is not named in the FIR by the complainant. His name has been included on the disclosure statement of the co-accused Pappu which is not admissible in the eyes of law.

After hearing learned Counsel for the petitioner, and perusing the orders declining such relief by the Additional Sessions Judge, Karnal, it is evident that the petitioner-accused along with other co-accused is indulging in blackmailing innocent people and there are three other similar FIRs registered against them in UP as well as Haryana. No doubt the name of the petitioner has surfaced in the disclosure statement of the co-accused from whom the recoveries of money has been effected, the admissibility qua the petitioner would be a moot point at the time of the trial. However, at the initial stage of investigation there is no bar on the investigating agency from relying upon them to conduct a proper investigation.

Keeping in view the nature and gravity of offence, the custodial interrogation of the petitioner is required for proper and fair investigation and as such petitioner is not entitled to the concession of anticipatory bail.

Dismissed.

(JASWANT SINGH)
JUDGE

March 14, 2016
Vinay