

215/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
2017.11.03 11:16
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(1) CRM-M No. 32947 of 2017 (O&M)
Date of decision:01.11.2017

Gurpreet Singh @ Billa @ Goldy ...Petitioner

Versus

State of Punjab ...Respondent

(1I) CRM-M No. 34368 of 2017 (O&M)
Date of decision:01.11.2017

Tarsem Singh @ Goma ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sumeet Puri, Advocate
for the petitioner in CRM-M No. 32947 of 2017

Mr. Ashok Bhardwaj, Advocate
for the petitioner in CRM-M No. 34368 of 2017

Mr.A,S.Gill, Sr. DAG, Punjab.

Mr. Rishav Jain, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

This order shall dispose of above mentioned two petitions as they arise from the same FIR.

Prayer in these petitions is for grant of regular bail to the petitioners in case FIR No. 154 dated 24.05.2017, under Sections 384, 389, 342, 506, 120-B IPC and Section 67/67-A of IT Act (Amended Sections 395, 342, 201, 120-B IPC along with Sections 67 and 67-A added later on), registered at Police Station City Sangrur.

It is submitted on behalf of the petitioners that as per allegation in the FIR, the allegations against petitioners-Tarsem Singh alias Goma and Gurpreet Singh @ Billa @ Goldy are that they had come to the field of the complainant along with one unknown lady, where the complainant was working, they started raising raula in high pitch and locked the complainant

and one Somnath in the motor room and extended threats to his life by showing the swords. In conspiracy with each other, they clicked some photographs of the unknown lady with the complainant and Somnath on their mobile phone and threatened that they will upload the same on internet and implicate them by giving complaint to the police. Counsel for the petitioner further submits that a perusal of the FIR further shows that on next day i.e. 23.05.2017, co-accused Lakhwinder Singh and Bablu demanded Rs.50,000/- from the complainant which was handed over to them and Lakhwinder Singh made another demand of Rs.1 lac from them. It is thus, submitted that the allegation with regard to demand or acceptance of money relates to two other co-accused Lakhwinder Singh and Bablu. It is further submitted that the petitioners are in judicial lock up since 25.05.2017 and the challan has already been presented before the trial Court and it will take long time to conclude of the trial.

Learned State counsel, assisted by learned counsel for the complainant, on instructions from ASI Gurtej Singh, has opposed the bail on the ground that recovery of Rs.10,000/- and Rs.2000/- each from the petitioners is yet to be made.

Considering the fact that the petitioners are in judicial lock up since 25.05.2017 and the report under Section 173 Cr.P.C. has already presented before the trial Court, without commenting upon merits of the case , the present petitions are allowed. Petitioners are directed to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioners are found involved in any other subsequent case or found misusing concession of bail.

(ARVIND SINGH SANGWAN)
JUDGE

01.11.2017
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No