

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11435-2018

Date of decision: 03.04.2018

Amanpreet Kaur @ Raju Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Satbir Gill, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.154 dated 24.05.2017 under Sections 395, 384, 389, 342, 506, 120-B, 201 IPC and Sections 57/67/67(A) of I.T. Act, registered at Police Station City Sangrur.

Learned counsel for the petitioner submits that the petitioner is in judicial custody since 12.06.2017 and co-accused of the petitioner namely Sukhvir Singh @ Kalu has been granted the concession of regular bail vide order dated 16.01.2018 passed in CRM-M-40889-2017. The operative part of the order dated 16.01.2018 is reproduced as under: -

“Counsel for the petitioner has submitted that the petitioner is in judicial custody since 25.05.2015 and as per the allegations in the FIR, the co-accused namely Bablu has taken the photographs on his mobile phone and has threatened to upload the same on a

networking site and thus, the accused persons have forced the complainant to part with Rs.50,000/-. Counsel for the petitioner has further submitted that the co-accused namely Gurpreet Singh @ Billa @ Goldy and Tarsem Singh @ Goma have been granted regular bail vide order dated 01.11.2017 passed in CRM-M Nos.32947 and 34368 of 2017. It is further submitted that two other co-accused of the petitioner namely Lakhwinder Singh @ Kala and Bablu Singh @ Saranjit Singh have also been granted the concession of regular bail vide order dated 05.12.2017 passed in CRM-M Nos.29395 and 35707 of 2017.

On the other hand, counsel for the State, on instructions from ASI Darshan Singh, assisted by counsel for the complainant has not disputed the factual position but opposed the prayer for bail on the ground that Rs.10,000/- were recovered from the petitioner.

Without commenting anything on merits of the case and considering the fact that the petitioner is in custody since 25.05.2015 and his co-accused have already been granted the concession of regular bail, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found involved misusing the concession of bail, in any manner.”

Learned State counsel, on instructions from ASI Udham Singh, has not disputed the factual position and submitted that the petitioner is not involved in any other case.

Without commenting anything on merits of the case, considering the fact that the petitioner is in judicial custody since 12.06.2017 and his co-accused have already been granted the concession of regular bail, present petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found misusing the concession of bail, in any manner.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

03.04.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No