

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-15564-2018 (O&M)

Date of Decision: 30.08.2018

Lakhwinder Singh alias Sema

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sukhneet Singh, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. D.A.G., Punjab

Mr. A.S. Brar, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

This is a petition filed under Section 438 Cr.P.C. for seeking grant of anticipatory bail to the petitioner in FIR No.28 dated 30.03.2018 registered under Sections 354, 384, 120-B of IPC at Police Station Sadar, District Moga.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the said FIR and in fact, the main persons who have black-mailed and cheated the complainant are namely Jasbir Kaur and her husband-Kulwant Singh.

Learned counsel for the respondent-State as well as for the complainant have put in their appearance and oppose the grant of anticipatory bail to the petitioner herein. It is also contended that the two accused were arrested and are now on bail on the ground that the challan was not presented within the specified time.

I have heard learned counsel for the parties as well as perused the allegations as set out in the FIR.

It appears that the complainant is aged 45 years and has been blackmailed and cheated by Jasbir Kaur, Kulwant Singh and one Lakhwinder Singh on the ground that they prepared a vulgar video of the complainant with Lakhwinder Singh@ Samma and threatened her that they would upload it on the internet thereby defaming her and her family.

In the FIR, it has also been mentioned that by blackmailing, the accused had taken 15 ½ tolas of gold and further blackmailed the complainant and extracted ₹45,000/- from her. Both accused again blackmailed her and received 8 tolas of gold, out of which they mortgaged 7 tolas of gold with the village jeweller, who has a jewellery shop in Moga. Thereafter the complainant did not have sufficient money or jewellery to keep making the payment and it is then that the instant FIR came to be lodged.

Learned State counsel has stated that the police have not been able to recover the mobile phone of the petitioner in which the alleged video was recorded. As per the statements of the other co-accused the same is in possession of the petitioner herein.

In view of the above submissions and facts, this Court is not

inclined to interfere in the matter and deems it appropriate to dismiss the present petition while considering that the custodial interrogation of the petitioner herein would be required in further investigation of the matter.

Hence, the present petition is dismissed.

August 30, 2018

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No