

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

**Crl. Misc. No.M-19654 of 2018 (O&M)
Date of Decision: July 19, 2018**

Hakiman and another

.....PETITIONER(s).

VERSUS

State of Haryana

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Roopak Bansal, Advocate
for the petitioner (s).

Ms. Dimple Jain, A.A.G. Haryana.

Mr. M.D. Khan, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.426 dated 20.11.2017 registered for the offences punishable under Sections 365, 384 read with Section 120-B of Indian Penal Code, at Police Station Punhana, District Mewat.

Heard.

Facts are being taken from the order passed by Additional Sessions Judge, Mewat while declining the bail application and are reproduced as follows:-

“2. The case of the prosecution was launched on the application moved by complainant Madan Mohan who reported that on 01.03.2017, he was coming from

Jaipur when he received a call from petitioner-accused Asma from her mobile phone and he received the same at Bharatpur. Thereafter, she remained in touch with complainant till 29.03.2017. He stated that on 29.03.2017, he had gone to Hodal for check up and petitioner-accused Asma had somehow come to know about his visit and she made telephone call and met him near Palwal Turn at Hodal and they went to Dubchik Tourist Complex where she received several calls and on the pretext of ill health, she asked him to go back to Punhana. When complainant was taking her to Punhana, on the way she got stopped the Car at a deserted place for vomiting and when he stopped his Car, a Bolero vehicle came there, out of which three persons armed with weapons came out and snatched the keys of his Car, caused him fist and leg blows and forced him to drink cold drink. On consuming the cold drink, he became unconscious and he was taken to Hathin where a demand of Rs.10 lacs was made under the threat to lodge false rape case against him. He somehow arranged Rs. 2 lacs through his friend Keshav and also handed over two cheques of Rs.50,000/- each to them. He made report to the police on 01.04.2017 but his complaint was not received by the police and ultimately the case was registered on the directions of Hon'ble High Court.”

Learned State counsel assisted by learned counsel for the complainant, submits that petitioners have made a gang to trap the innocent young persons, level allegations against them of rape and then blackmail them by demanding huge amount of money. Learned State counsel on instructions from ASI Shakut Raj submits that statement of father of petitioner No.2 and husband of petitioner No.1 has also been recorded, who

have also levelled similar allegations against them and endorsed the

allegations levelled by the complainant. This has necessitated the custodial interrogation of the petitioners to find out the other such cases, where they have extracted money illegally by blackmailing other persons and there are two more such FIRs against them.

Learned counsel for the petitioners argues that the allegations levelled against the petitioners are false and petitioners are ready to join the investigation.

Keeping in view the above facts and circumstance, nature of allegations and conduct of the petitioners, I do not find any reason to exercise the discretionary power of this Court to extend the benefit of anticipatory bail to the petitioners. Their custodial interrogation is required by the police to crack the racket being run by the petitioners to cheat innocent persons.

This petition has no merits. Dismissed.

July 19, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Repoprtable: ***Yes/No***