

**Sr. No.202
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-38046 of 2016 (O&M)

Date of Decision: 20.02.2018

Sanjeet @ Bada Lal and another

... Petitioners

Versus

State of Haryana

... Respondent

CRM No. M-36184 of 2016 (O&M)

Pardeep @ Bada Lal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Sarfraj Hussain, Advocate,
for the petitioners.

Mr. Ashish Yadav, Additional A.G., Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of CRM No.M-38046 of 2016 (Sanjeet @ Bada Lal and another Vs. State of Haryana) and CRM No.M-36184 of 2016 (Pardeep @ Bada Lala Vs. State of Haryana) as both these petitions arise out of FIR No.568 dated 03.09.2016, under Sections 386/34 IPC, Police Station Sector 10, Gurgaon, District Gurgaon, Haryana. Prayer is for grant of concession of anticipatory bail to the petitioners herein.

Counsel for the parties have been heard.

FIR has been registered on the statement of Kirpal son of Gajraj Singh. Complainant asserted that he was working with one Brij Gopal Company. About 15-20 days prior to the

registration of the FIR, the petitioners herein in these two connected petitions had got in touch with the complainant and raised a demand to pay them a monthly sum of money. Complainant at that point of time was even threatened to be eliminated otherwise. Out of fear, complainant is stated to have supplied some construction material to each of the petitioners. Further specific allegations are that on 01.09.2016 a telephonic call was received by the complainant on his mobile No.7042195392 from Mobile No.7042812974 at about 4:30-5:00 p.m. demanding to send two vehicles of certain construction material/earth. Complainant having refused he was again extended a threat to be eliminated. Allegations are that during the late evening hours, the petitioners had come in search of the complainant in a black car Scorpio vehicle to his residence and had threatened the family members that Kirpal Singh/complainant would be killed. Complainant alleges the offence of extortion at the hands of the present petitioners.

Learned State counsel upon instructions from ASI Vikas Kumar, Police Station, Sector 10, Gurgaon informs the Court that against the backdrop of the allegations, the voice samples of all the three petitioners herein were taken. Even the transcript of the recording/voice samples/conversation between the complainant and the petitioners herein and which has been placed on record along with the reply was sent to Forensic Science Laboratory, Madhuban, Karnal for an expert opinion. Report has been received opining that it is the voice of the same persons whose

voice samples have been collected thereby clearly indicating the complicity of the present petitioners as regards the offence of extortion.

Court has further been informed that the petitioners are habitual offenders inasmuch as 05 FIRs each and on similar allegations have been registered against the present petitioners.

Against the backdrop of the allegations and the gravity of the offence, no case for grant of pre arrest bail is made out.

Both the petitions are dismissed.

20.02.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No