

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

**CRM No.M-40889 of 2017
Decided on: 16.01.2018**

Sukhvir Singh @ Kalu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

Mr. Rishav Jain, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.154 dated 24.05.2017, for offence punishable under Sections 395, 342, 120-B, 201 of the Indian Penal Code, 1860 (in short 'IPC') and Section 67 and 67-A of the Information Technology Act registered at Police Station City Sangrur, District Sangrur.

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.

(ARVIND SINGH SANGWAN)
JUDGE

16.01.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No