

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

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| (I) | CRM-M-10632 of 2019
Date of Decision:27.03.2019 | |
| | Parveen Kaur @ Parveen |Petitioner |
| | Versus | |
| | State of Punjab |Respondent |
| | | |
| (II) | CRM-M-10897-2019 | |
| | Ram Lal |Petitioner |
| | Versus | |
| | State of Punjab |Respondent |
| | | |
| (III) | CRM-M-12264-2019 | |
| | Sukhmander Singh @ Jaggi |Petitioner |
| | Versus | |
| | State of Punjab |Respondent |
| | | |
| (IV) | CRM-M-12078-2019 | |
| | Vinay Kumar |Petitioner |
| | Versus | |
| | State of Punjab |Respondent |

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr.P.K.S. Phoolka, Advocate &
Mr. Nirmaljeet Singh, Advocate
for the petitioners.

Mr. R.S. Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. This order shall dispose of the aforementioned petitions filed on behalf of Parveen Kaur @ Parveen, Ram Lal, Sukhmander Singh @ Jaggi seeking anticipatory bail and on behalf of Vinay Kumar seeking regular bail in respect of case registered against them vide FIR No.15 dated 4.2.2019 under Sections 365, 384, 506, 120-B and 148 of the Indian Penal Code, Police Station Canal Colony.
2. The FIR was registered at the instance of Makhan Singh wherein he has alleged that he is handicapped from both of his legs and had modified his car by having the controls at his hands. It is alleged that on the day of occurrence when he was going in his car he was signalled to stop by Ram Lal and when he stopped the car two more persons came there and sat in his car and asked him to drop them at Paras Ram Nagar, Street No.29. It is alleged that when the complainant drove his car to the said address and stopped his car there, the said persons told him to get out of the car and threatened him not to raise any alarm failing which he would face serious consequences. It is alleged that an altercation took place amongst them and in the meantime 5/6 unidentified ladies came outside and

they all pulled him out of his car and took him inside and threatened him to have sex with those ladies to which the complainant refused. It is alleged that he was told that to give an amount of ₹3 lakhs failing which he would be involved in a rape case. The complainant alleges that deal was finalized for ₹2.5 lakhs and he left from that place. It is alleged that later he came to know that the house belongs to Paramjeet Kaur Bhullar and said ladies are named Anu, Parveen, Nisha @ Raju, Sukhbir & Sonia and that the other members were named as Vinay Kumar and Jaggi.

3. Learned counsel for the petitioners have submitted that they have falsely been implicated in the present case mainly on account of the fact that the petitioner Parveen Kaur @ Parveen had earlier lodged complaint against Police Officers for having falsely implicated her in some other FIRs. Learned counsel has further submitted that in any case the allegations do not appeal to reason inasmuch as it could not be expected from a person handicapped to have escaped without a single bruise. Learned counsel has further submitted that in any case 5 of the accused namely Anu, Parveen, Nisha @ Raju, Sukhbir & Sonia have already been released on bail and since nothing is to be recovered from the petitioners, the petitioners also deserve the concession of bail.
4. Opposing the petition, the learned State counsel has submitted that since the petitioners are specifically named in the FIR and serious allegations are levelled against them, no case for grant of bail is made out and thus prayed for dismissal of the same.

5. Having considered rival contentions addressed before this Court, I find that although the allegations of extortion are serious in nature but it is a case where nothing is to be recovered from the petitioners. In these circumstances, it is not a case which would warrant custodial interrogation. The petitions CRM-M-10632-2019, CRM-M-10897-2019 & CRM-M-12264-2019 as such, are accepted. In the event of arrest of the petitioners namely Parveen Kaur @ Parveen, Ram Lal an Sukhmander Singh @ Jaggi shall be released on bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
6. The petitioner namely Vinay Kumar in CRM-M-12078-2019 is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.
7. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

27.03.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No