

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-24623-2019
Date of decision-31.05.2019

Gurpreet Kaur and another

....Petitioners

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Aman Dhir, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab,
assisted by SI Karamjit Singh

MANOJ BAJAJ, J.

Petitioners-Gurpreet Kaur and Sukhpreet Kaur have filed this petition under Section 439 of Code of Criminal Procedure for grant of regular bail in case FIR No.48 dated 28.04.2019 under Sections 386, 506, 148, 149 IPC and Sections 25/27 of Arms Act, 1959 (Section 67-A of I.T. Act added later on) registered at Police Station Gidderbaha District Sri Muktsar Sahib. The petitioners are behind the bars since 29.04.2019.

The FIR was recorded on the statement of complainant namely Parveen Bansal, wherein it is alleged that on 06.02.2019, a call was received by him at around 10.00 PM from an unknown lady, who informed that she was standing in the colony and asked him to come out of the house

otherwise she would kill him. According to the complainant, the lady kept on abusing and threatening the complainant and she conveyed it to the security guard namely Sukha. Complainant informed the lady that he had already dismissed Sukha from service about 10-12 days ago. Next day, the complainant watch the CCTV Footage installed at the gate of the colony and came to know that it was Baljit Kaur wife of Saudagar Singh and 10- 12 unknown persons armed with Kirpan, fire arms etc. had come on white colour activa who were standing near the gate. The incident was reported to SHO Giddarbaha. It was narrated that the lady had sent Baldev Krishan @ Deba to his house who informed the complainant that Baljit Kaur had formed a gang to extort money from innocent people and asked the complainant to enter into compromise with her. It was alleged that the said person asked the complainant that the dispute can be settled for a sum of Rs.2 lacs and in case of non payment of amount, the complainant would be involved in a false case as some recording of the complainant is likely to be made viral to defame him. According to the complainant, after hearing the recording, the person went away and came back again to said that the lady did not agree for less than Rs.2 lacs and asked the complainant that the matter can be settled for Rs.60,000/- and took Rs.15,000/- in cash from him. It was mentioned that the complainant has formed a gang and has extorted money from number of persons by preparing their videos. In the end, it was mentioned that Sukha Singh also recorded the audio of Baljit Kaur's daughter who threatened to get rape case registered against him. On these broad allegations above, the FIR was registered.

Learned counsel for the petitioners contends that the petitioners are daughters of Baljit Kaur and there is no allegations against them by the complainant. According to the allegations itself, complainant had spoken to Baljit Kaur (mother of the petitioners) and the involvement of the petitioners is based on hearsay material. It is further contended that the co-accused namely Baldev Kumar @ Deba has been granted the concession of regular bail and the custody of the petitioners is not justified.

On the other hand, the prayer is opposed by learned State counsel, who is assisted by SI Karamjit Singh, on the ground that the petitioners are daughters of Baljit Kaur and witnesses have also stated their indulgence in the black-mailing. However, it is not disputed that the co-accused Baldev Kumar has been released on bail.

Considering the above and the fact that trial is likely to consume considerable time, this Court is of the opinion that further detention of the petitioners (ladies) may not be justified, who are not involved in any other case of similar nature. Therefore, without meaning any expression of opinion on the merits of the case it is ordered that the petitioners- Gurpreet Kaur and Sukhpreet Kaur be released on regular bail subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Sri Muktsar Sahib.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

31.05.2019
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No