

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. CRM-M-42010 of 2019
Date of Decision: 29.10.2019

Ninder Kaur @ Narinder Kaur @ MadhoPetitioner

VERSUS

State of PunjabRespondent

2. CRM-M-42117 of 2019

Gurdeep SinghPetitioner

VERSUS

State of PunjabRespondent

3. CRM-M-42938 of 2019

Rani Kaur @ Gurvinder KaurPetitioner

VERSUS

State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Munish Raj, Advocate
for the petitioner in CRM-M-42010-2019.

Mr. Rajbir Singh, Advocate
for the petitioner in CRM-M-42117-2019.

Mr. Akashdeep Miglani, Advocate
for the petitioner in CRM-M-42938-2019.

Mr. Avtar Singh Sandhu, Addl. A.G. Punjab.

SURINDER GUPTA, J.(Oral)

Present petitions have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.125 dated 27.08.2019 registered for offences punishable under Sections 342, 384, 385, 420, 120-B of Indian Penal Code; 25 and 27 of the

Arms Act, at Police Station Sadar Ludhiana, District Ludhiana.

FIR was registered on the complaint of Jatinder Pal, a resident of village Dhamot, Ludhiana, who is in dairy farming business and supplies milk on his four-wheeler at Dholewal, Dugri, Civil Line, Gill Road, Ludhiana. All his customers have his mobile number. On 21.08.2019, after supplying milk he was going towards his village Dhamot and reached near Sahnewal, where he received a call on his mobile phone from mobile number 97810-23345 from a lady, who asked him to come to her house as she had to purchase milk from him. She gave her address as Kamal Boutique near Sheetla Mata Mandir. On next day at about 10.30 a.m., he contacted that lady for supply of milk at which she asked him to reach her house near Sehra Palace. On reaching Sehra Palace, he was asked to wait for two minutes and the lady, who gave her name as Kamal, arrived there on Activa and asked the complainant to follow her. He followed her Activa and reached her house. On seeing her house he turned back at which that lady offered him a cup of tea at which he went inside. Within 4/5 minutes two ladies and four gents came there, who were calling themselves as Nirmal, Pritpal, Gurdeep, Bhinda, Narinder Madho and Rani. Nirmal took out a pistol while remaining persons removed clothes of complainant. They locked him in a room proclaiming that he had assaulted Kamal. After ten minutes they took him out of the room and demanded ₹3 lakhs. They also removed documents of his four-wheeler, PAN card, Aadhaar card and threatened him that if he wants to save his image he should arrange money by evening and reach bridge of Tibba Canal. Complainant reached that place in his four-wheeler where Nirmal, Pritpal and one lady came in car bearing registration no. PB-10-EY-2213 and took ₹90,000/- from him and

asked him to arrange for the balance amount. Thereafter, they kept on threatening and blackmailing him and demanding more money.

Learned counsel for petitioner-Gurdeep Singh (in CRM-M-42117-2019) has argued that he has been falsely implicated in this case. There is no allegation against him of using any weapon to threaten the complainant and he was not present at the time of alleged payment of ₹90,000/-.

Learned counsel for petitioner-Ninder Kaur @ Narinder Kaur @ Madho (in CRM-M-42010-2019) has argued that there is no specific allegation against the petitioner except alleging her presence at the place of incident. She is not involved in any other case and has not received any money from the victim. As per allegations in the FIR, Nirmal is the main accused in this case.

Similar arguments have been advanced by learned counsel for the petitioner-Rani Kaur @ Gurvinder Kaur (in CRM-M-42938-2019).

Learned State counsel has argued that petitioners have made a gang to entice and fleece innocent persons. Complainant, who is a milk supplier, was called on the pretext of purchasing the milk and then all the accused with intention to blackmail him, removed his clothes and also took ₹90,000/- under the threat to defame him. They also demanded more money, which the complainant did not pay. As per evidence collected by police so far, amount of ₹90,000/- was shared in between petitioners. Gurdeep Singh and Rani Kaur @ Gurvinder Kaur got ₹11,000/- each while ₹10,000/- each were paid to Nirmal and Pritpal and ₹5000/- to Bhinda. It is a very serious offence and calls for a thorough custodial interrogation of petitioners to crack their *modus operandi* and to have information about their other

victims, if any.

On giving a careful thought to submissions of learned counsel for petitioners and learned State counsel, I am of the considered opinion that it is a case where petitioners with their common intention have tried to blackmail a milk supplier. Such type of offence will not only disturb the peace in the society but also give leverage to such type of offenders, who entice and blackmail innocent persons. I agree with submissions of learned State counsel that thorough custodial interrogation of petitioners is required in this case.

Keeping in view facts and circumstances of the case, I find no reason to exercise the discretionary power of this Court to extend the benefit of anticipatory bail to petitioners at this stage.

These petitions have no merit and the same are dismissed.

October 29, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No