

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-61995-2018 (O&M)
Date of Decision:-27.5.2019

Ravi	Versus	... Petitioner
State of Haryana		... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Prashant Singh Chauhan, Advocate for the petitioner.
Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.321 dated 30.7.2018 registered at Police Station Model Town, Rewari under Section 384 of Indian Penal Code, 1860 and Sections 25, 54 and 59 of Arms Act, wherein offence under Sections 307, 427, 420 and 34 IPC was added later on.

The FIR was registered at the instance of Bal Mukesh @ Guddu Saini, wherein he alleged that he had received a telephone call from mobile No.84474-63854 and that the caller identified himself to be Sandeep Soni and told him to arrange for an amount of ₹10 lacs failing which the complainant would face dire consequences.

It is further the case of prosecution that pursuant to receipt of aforesaid information a raiding party was constituted and the complainant went to the nominated place where Rahul came to collect the amount from the complainant. Rahul was apprehended at the spot and Rahul was told by the raiding party to make a telephone call to Sandeep Soni and Sandeep Soni told Rahul to come to Pataudi Indian Petrol Pump alongwith the extortion amount recovered from the complainant. It is further the case of prosecution that the police party went to the petrol pump, where five persons namely Sandeep Soni, Pardeep Soni, Ravi @ Bilhari, Bishan @ Danny and Mohan came there in a car and upon noticing the police party Sandeep Soni and Pardeep Soni fired at the police party but none was injured. It is further the case of prosecution that the aforesaid five persons had also tried to ram their car into the police vehicle. The police party was, however, able to nab all the five accused including the petitioner Ravi.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that there is no evidence to connect the petitioner with the alleged extortion. It has also been submitted that, in any case, co-accused Pardeep Soni, Bishan @ Danny and Mohan have already been granted bail and the petitioner being situated on identical footing deserves the concession of bail on grounds of parity as well.

Opposing the petition, the learned State counsel has submitted that since the petitioner is one, who was driving the car in which the accused had come, his complicity is evident and he is not entitled to grant of bail.

Having considered rival submissions addressed before this Court and bearing in mind the fact that the petitioner has been behind bars

since the last about ten months and till date out of cited 25 prosecution witnesses only 5 prosecution witnesses have been examined and while also noticing that three of the co-accused identically situated have already been granted bail, in my opinion, it is a fit case for grant of bail to the petitioner. The petition, as such, is accepted and the petitioner Ravi is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands accepted accordingly.

27.5.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No