

S.No.209

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

CRM-M-12772 of 2020 (O&M)

Date of Decision:03.06.2020

Harnek SinghPetitioner

Vs.

State of PunjabRespondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. J.S. Jaidka, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

CRM No.10987 of 2020

Application is allowed as prayed for.

CRM-M-12772 of 2020

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.53 dated 25.02.2020 registered under Section 376 IPC at Police Station City Malout, District Sri Muktsar Sahib.

It is contended by counsel for the petitioner that the case against the petitioner has been created by the prosecutrix just to blackmail him to extract money. Otherwise, the petitioner has been an ex-serviceman, who is now working as a Security Guard in a Bank. The prosecutrix met her only in the Bank where the petitioner is posted as a Security Guard. Thereafter, the present FIR has been got registered. In fact, the prosecutrix is a member of a gang involved in these activities. The current FIR has been registered in consultation with sister of the prosecutrix.

However, the sister of the prosecutrix is facing FIR; lodged by another ex-serviceman; for making a serious attempt of extracting money from him, by levelling allegations against that ex-serviceman. Even the prosecutrix is facing FIR under the NDPS Act. The petitioner is not facing any other case against him. The petitioner is in custody since 25.04.2020.

Notice of motion.

Mr. H.S. Sullar, DAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel, on instructions from SI Maya Devi submits that there have been specific allegations against the petitioner. However, it is not disputed that the prosecutrix herself is facing a case under the NDPS Act and, further, her sister is facing an FIR for making attempt of extracting money from another ex-serviceman; by levelling similar allegations against that person.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. The applicant- petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the concerned trial Court/ Duty Magistrate.

June 03, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No