

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

CRM M-14226 of 2020 (O&M)

Date of Decision: June 08, 2020

Satish Kumar @ Satish Vatta	Petitioner
Versus	
State of Haryana	 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Raghav Sharma, Advocate
for the petitioner.

Mr. Baljinder Virk, DAG, Haryana.

Mr. Sanjeev Kodan, Advocate
for the complainant.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through
video-conferencing due to outbreak of pandemic COVID-19.

Mr. Baljinder Virk, DAG, Haryana puts in
appearance on behalf of the State on his own. Let copy of the
petition be supplied to him.

Petitioner Satish Kumar @ Satish Vatta is accused in case bearing FIR No. 82 dated 12.02.2020 under Sections 120-B, 384 and 420 IPC, Police Station Pehowa, District Kurukshetra has come up in this first anticipatory bail application under Section 438 Cr.P.C.

The present case has been got registered on the statement of one Mahender Singh. It is alleged that a civil litigation was pending between the complainant and accused/non-applicant Sajjan Singh and that accused/petitioner Satish Kumar @ Satish Vatta alongwith co-accused/non-applicants, namely, Sajjan Singh, Jasbir Singh, Gobind Ram, Laxmi Sharma and Sunil Yadav hatched a conspiracy alongwith Balwinder Singh Bajwa and Dayanand. As a consequence of this conspiracy, on 28.12.2019, a telephonic message was received by the complainant while he had gone to the shop of the present petitioner and which call was made by a girl asking the petitioner to come and meet her at Ambala, to which, the complainant refused and, thereafter, the parties agreed that they will meet at Ismailabad. After meeting, the petitioner is alleged to have managed a telephonic call to the complainant, whereby, a demand of Rs.1,00,000/- was made on account of sorting out the dispute with the girl and which the complainant claims to have paid. However, subsequently, a telephonic call

was received from the Police Station Women Cell by the complainant intimating that he was wanted in a case got registered by the girl against him. It is, thereafter, non-applicant/accused Balwinder Singh Bajwa and Dayanand tenants of the present petitioner met the complainant and demanded Rs.20,00,000/- to sort out the dispute arising out of the FIR and it is after the revelation, the complainant got registered the present case.

Learned counsel for the petitioner, *inter alia*, contends that the co-accused Sajjan Singh, who is similarly placed has been allowed anticipatory bail by this Court vide order dated 12.05.2020 and that nothing is to be recovered and it was more of a dispute over a property between the two sides, which has been given the shape of criminality.

Mr. Baljinder Virk, DAG, Haryana assisted by Mr. Sanjeev Kodan, learned counsel for the complainant has strongly opposed the bail on the grounds of heinousness of the offence and that the custodial interrogation of the petitioner is very much essential to unearth the entire nexus.

Be so as it may, the similarly placed co-accused Sajjan Singh has been allowed bail by this Court as detailed above. The primary allegation of demand of Rs.20,00,000/- is against accused/non-applicants Balwinder Singh Bajwa and Dayanand. Keeping in view the background of the litigation

admitted between the parties, i.e. Mahender Singh and Sajjan Singh over some land, who are closely related and the fact that joining by the petitioner in investigation would suffice the purpose and in view of the principle of parity, this Court deems the present case a fit to grant bail. Accordingly, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so, he shall be released on bail to the satisfaction of the arresting/investing officer till submission of report under Section 173 Cr.P.C. (challan). The petitioner shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438(2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off, accordingly.

June 08, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No