

102

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.8514 of 2021 (O&M)

Date of decision: 23.02.2021

Gurmej Singh Rana

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.S. Sidhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this 3rd petition is for grant of anticipatory bail in
FIR No.0367 dated 27.10.2020 registered under Sections 384, 506, 188
IPC at Police Station Patran, District Patiala.

The 1st petition i.e. CRM-M No.38130 of 2020 was
dismissed as withdrawn on 19.11.2020 in view of the affidavit of the
Investigating Officer filed in the said case and the 2nd petition i.e. CRM-
M No.1052 of 2021 was again dismissed as withdrawn on 11.01.2021
as the petitioner while filing the 2nd petition has not placed on record
the affidavit of the Investigating Officer, which was filed in the 1st
petition.

Counsel for the petitioner has argued that the FIR has been
registered on the statement of the complainant in which it is stated that
he has a sweets shop in Patran and on 10.05.2020, he had gone to serve
tea and food to the labour, who are living above his shop. Thereafter,
the petitioner/accused started making a video to upload the same on

CASE HEARD THROUGH VIDEO CONFERENCING

social media. On the asking of the complainant, the petitioner asked him on whose permission, he has opened the shop. Thereafter, the petitioner made number of phone calls asking the complainant that he should pay some amount to him otherwise, he will upload the video on social media. On the next day, the petitioner asked one Sunil Goyal as what happened then on his asking, the petitioner made a demand of Rs.20,000/- and threatened that if the same is not paid, he should be ready to face the consequences. Thereafter, on repeated demands, Rs.10,000/- was offered, to be paid in the presence of Sunil Goyal and the petitioner by breaking the law under Section 188 IPC, came to his palace and while visiting the place of the petitioner, he again extended threats that he will upload the video on social media.

Counsel for the petitioner has further argued that even the petitioner has got an FIR registered against the complainant's side on account of preparing and selling sweets at their shop and on that account, the FIR No.129 dated 12.05.2020 under Sections 323, 341, 379-B, 506, 188, 148, 149 IPC was registered at Police Station Patran, District Patiala. It is further submitted that on the face of it, during the lockdown period, the complainant himself was violating the guidelines of the Government and the petitioner was making a coverage of the said fact when he was attacked by number of persons.

A perusal of the reply filed in the 1st petition i.e. CRM-M No.38130 of 2020, show that the petitioner has made false allegations while registering the FIR No.129 dated 12.05.2020 whereas the petitioner himself had gone to the palace and the Investigating Officer found that the petitioner was trying to extort money to the tune of

CASE HEARD THROUGH VIDEO CONFERENCING

Rs.20,000/- from the complainant Vijay Singla on the pretext that he will not make the video viral on social media.

Counsel for the petitioner, lastly, argued that it will be a matter of trial, whether Section 384 IPC is made out or not.

Counsel for the State, on the basis of the earlier affidavit filed in the 1st petition i.e. CRM-M No.38130 of 2020 and going through the entire paperbook has submitted that no new ground for filing this 3rd petition for grant of anticipatory bail is mentioned as the 1st petition was dismissed as withdrawn after hearing both the sides when the affidavit of the Investigating Officer was filed.

Counsel for the State has further submitted that the petitioner is repeatedly filing anticipatory bail petitions just to delay the investigation of the case as the FIR is dated 27.10.2020.

After hearing the counsel for the parties, I find no new ground to entertain this 3rd petition for grant of anticipatory bail to the petitioner as there are serious allegations of extorting money from the complainant.

Accordingly, the petition is dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

23.02.2021
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No