

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

**CRM-19697-2021 in/and
CRM-M-19017-2021**

DECIDED ON: 20th JULY, 2021

Jaspreet Singh @ Jassa

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Ms. Monika Thakur, Advocate for petitioner.

Ms. Monika Jalota, DAG Punjab.

Mr. Amit Dhawan, Advocate for complainant.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

CRM-19697-2021

Amended petition is taken on record subject to all just exceptions.

Main case

This petition is filed for grant of regular bail in case of FIR No. 24 dated 6.2.2021, under Sections 383, 384, 120-B, 506 IPC (Section 201 IPC added lateron), registered at Police Station City Nakodar, District Jalandhar, Rural.

The FIR was on the complaint of Raj Kumar Sandhu, practicing Advocate at Nakodar Courts. The complainant was representing Manpreet Kaur as she had litigation with her husband. On 30.10.2020, Manpreet Kaur called the complainant near village Meerpur. After a short while, Jaspreet Singh @ Jassa came there and at knife point, prepared an obscene video with Manpreet Kaur on mobile phone. The complainant was threatened to be

implicated in a false rape case. For not circulating the video viral, demand of

Rs.8,00,000/- was made. Initially payment of Rs.2,90,000/- was made, Rs.2,10,000/- on 2.11.2020 and on 3.11.2020 Rs.3,00,000/- were paid. Thereafter, Manpreet Kaur sent a message from her mobile phone to pay Rs.2,00,000/- more.

Learned counsel for the petitioner submits that the petitioner is behind bars for more than six months. No recovery has been made from the petitioner and challan stands presented.

Learned State counsel opposes the grant of bail and submits that the petitioner played an active role. The co-accused Manpreet Kaur is yet to be arrested. She submits that though the challan has been presented, the matter is still under investigation due to non-arrest of co-accused. The bail is opposed on the ground that complainant is yet to be examined. She further submits that knife was recovered from the petitioner.

Learned counsel for complainant vehemently opposes the prayer for grant of bail.

The custody in itself cannot be a ground for grant of bail. The allegations are grave and serious. The argument that no recovery was made from the petitioner does not enhance the case for grant of bail. As per the case set up the evidence has been destroyed by the petitioner, resultantly, Section 201 was added later on. Though the challan has been presented against petitioner but the fact remain that co-accused Manpreet Kaur is yet to be arrested.

There is a realistic chance of more facts surfacing during further investigation. It would be appropriate to note that anticipatory bail petition of co-accused Manpreet Kaur was fixed today before this Court. Learned counsel submitted that Manpreet Kaur (accused) is not contacting him and he is having no instructions, hence, cannot pursue the petition. The petition was dismissed as not pressed.

Another aspect to be considered is that the complainant is yet to be examined.

Dismissed.

20th JULY, 2021

reema

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes*