

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

CRM-M-21857-2021 (O&M)

Date of decision: 23.09.2021

Satnam Singh @ Satta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Tarundeep Kumar, Advocate for the petitioner.

Mr. S.S. Sandhu, AAG, Punjab.

Mr. J.S. Bajwa, Advocate for the complainant.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This third petition for regular bail has been filed by petitioner –Satnam Singh @ Satta– an accused in FIR No.168 dated 27.6.2017, under Sections 384, 386, 387, 120-B IPC, Section 67/67-A of IT Act, 2000 and Section 25/27 of Arms Act (Section 306 IPC added later on), registered with Police Station Sidhwan Bet, District Ludhiana. The first petition bearing No.CRM-M-2787-2018 was dismissed, vide detailed order dated 06.09.2018, copy of which being Annexure P-4 and the second one was dismissed as withdrawn, vide order dated 10.03.2021.

Briefly stated, facts of the case as per prosecution story are that the victim (name not being mentioned to conceal her identity and referred to as '*the victim*') daughter of Inderjeet Singh, resident of

Bhumal, Police Station Sidhwan Bet, District Ludhiana was married with one Taranjit Singh, resident of Phuglana; in the year 2011 while the victim used to commute from her village to Ludhiana in connection with her studies, she came across petitioner Satnam Singh @ Satta and two of them developed friendship; that the petitioner had administered some intoxicant substance to the victim and then took her objectionable photographs, thereafter, he started blackmailing the victim threatening to show her such photographs to her family members and post the same on social media; the petitioner received considerable gold jewellery and cash amount from the victim by blackmailing her and also got her passport fraudulently; the petitioner had sent one of the objectionable photographs of the victim to her husband; when the victim asked the petitioner as to why he had done so, then he held out a threat to her that either she should pay Rs.50,000/- to him or he would make her photographs public by uploading those on social media and would show the same to her in-laws family; that on 23.6.2017 when victim was alone in her house, at about 10:30 a.m., Satnam Singh @ Satta went to her house and demanded Rs.50,000/- and forcibly snatched a gold ring threatening that if the victim did not give him Rs.50,000/- till 12:00 noon, then he would circulate the photographs on social media; that the victim informed her grandfather, who went to the house of accused Satnam Singh @ Satta, where his father Daljit Singh met him, who stated that his son would keep doing so; that on account of such act and conduct on the part of Satnam Singh @ Satta, the victim consumed a poisonous substance. Her statement was recorded while she was undergoing treatment at Civil

Hospital, Ludhiana. She expired and then offence under Section 306 IPC was added in the FIR. The petitioner/accused was arrested in this case. He had filed an application for regular bail in the Court of Sessions, which was declined by learned Additional Sessions Judge, Ludhiana vide order dated 08.12.2017, as such, he has approached this Court with same request, which is being resisted by the State counsel and counsel for the complainant.

I have heard learned counsel for the parties besides going through the record.

Though, the allegations against the petitioner are quite grave and serious but then as per custody certificate filed by State counsel, the petitioner has undergone total imprisonment of 04 years, 02 months and 16 days in this case. The trial against the petitioner is still going on. In the trial against the accused, no progress has been made. The State counsel on instructions from ASI Rajwinder Pal Singh states that out of 16 PWs cited by the prosecution, not even a single PW has been examined in the trial Court so far. In that way, the conclusion of trial is likely to take considerable time, more so, when working in the Courts has been adversely affected on account of outbreak of COVID-19. The guilt of the accused shall be determined during the trial. The further detention of petitioner shall not serve any useful purpose. As such, the petition is accepted. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/CJM/Duty Magistrate, Ludhiana, subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses;
- (iii) he shall not indulge in any criminal activity;
- (iv) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard;

The Court accepting the bonds is to ensure that the surety furnished by the petitioner is local one, having documentary proof of the sufficient immovable property of the value more than the surety amount within jurisdiction of the said Court. An endorsement be made on the title deed of the property that the said person stood as a surety for the petitioner. A copy of that document be retained on the record of the Court. Photographs of the surety, accused and attesting witnesses be also obtained and placed on record.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

23.09.2021
sumit.k

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No