

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021/07/19 15:57
I attest to the accuracy and
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CRM-M-21216-2021

Date of decision : 19.7.2021

Baldev Singh

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. P.K.S. Phoolka, Advocate
for petitioner.

Mr. Sarabjit Singh Cheema, AAG Punjab.

Mr. B.S. Sidhu, Advocate
for complainant.

(Through Video Conferencing)

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 9 dated 10.1.2021, registered under Sections 384, 386, 388, 395, 397, 506 IPC and under Section 25 of Arms Act at Police Station Canal Colony, Bathinda, District Bathinda.

FIR was registered on the statement of one Bhupinder Singh who has stated that he was acquainted with Mandeep Kaur. Mandeep Kaur borrowed a sum of Rs. 1500000/- from him and also executed a pronote in his favour. However, she did not return the money. On 5.1.2021 Mandeep Kaur telephoned the complainant and asked him to come to house of one Jaswinder Kaur where she promised that she will hand over his money. The complainant reached house of Jaswinder Kaur. Mandeep Kaur, Jaswinder Kaur, Sarabjit Kaur and one Pammi were present there. Jaswinder Kaur, Mandeep Kaur and Pammi went out of the room. Meanwhile, 4 persons namely, Baldev Singh (petitioner), Sandeep Singh and 2 unknown persons (not named in FIR) came there. Baldev Singh had a pistol with him and others were carrying kappas. Baldev Singh pointed his pistol on the head of complainant. Under threat, they prepared a video of complainant in an objectionable position with Sarabjit Kaur. Thereafter, Jaswinder Kaur, Mandeep

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Kaur and Pammi entered the room and threatened the complainant that they will get a false case of committing rape registered against him. They demanded Rs. 2000000/- from him. The complainant agreed to pay the amount. He had Rs. 10000/- in his pocket which were taken by Jaswinder Kaur. He withdrew Rs. 500000/- from Axis Bank and gave the same to Mandeep Kaur. He also borrowed Rs. 300000/- from Baljinder Singh and handed over the same to Mandeep Kaur.

Learned counsel for petitioner has argued that allegations against petitioner are totally false. There is an unexplained delay of 5 days in lodging the FIR. The alleged incident is of 5.1.2021 whereas FIR is stated to be lodged on 10.1.2021. He further stated that petitioner has been involved in this case only because there was a civil suit instituted by Lovedeep Singh (nephew of complainant) against petitioner.

It is not possible to accept the aforesaid contentions of petitioner. There are specific allegations against petitioner that he pointed a gun at the head of complainant. In fear, an objectionable video of complainant with one Sarabjit Kaur was prepared which was further used to blackmail the complainant and to extort Rs. 810000/- from him.

In view thereof, no ground to grant anticipatory bail to petitioner is made out.

Dismissed.

(HARINDER SINGH SIDHU)
JUDGE

19.7.2021

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No