

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

201

**CRM-M-49588-2019 (O&M)
Date of Decision: 20.09.2021**

Shantanu Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Onkar Singh Batalvi, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana
assisted by ASI Vinod.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.222 dated 25.05.2019 at Police Station Sector-50, Gurugram, under Sections 384/506/448 IPC.
2. The FIR was lodged at the instance of Sumit Saurav, wherein it is alleged that his mother Smt. Rajbala Devi is owner of Flat No.202, Tower 6, Orchid Petals, Sector 49, Gurugram, which had been leased out to Vikas Tokas on 17.05.2019. However, when the complainant was getting the flat repaired on 20.05.2019, 5-6 persons including Satbir Singh and Shantanu (petitioner) alongwith 2 ladies came to the flat and abused him and threatened to kill him and stated that in case

- the complainant wishes to lease out the flat, he will have to take permission from the said persons i.e. the accused and that the said persons demanded an amount of Rs.3 Lakhs from the complainant. The complainant alleged that later when he asked from the guard of the society about the said persons, he came to know that this is the profession of the accused.
3. Learned counsel for the petitioner has submitted that he as well as his father Satbir have falsely been implicated in the instant case and that in fact it is a civil matter between landlady and tenants, wherein the landlady Smt. Rajbala Devi happens to be wife of an IAS Officer and who in order to forcibly dispossess the tenants i.e. the petitioner's father Satbir and his family had lodged the instant FIR by concocting false allegations. Learned counsel has submitted that in fact the petitioner's father has been continuously in possession of the premises in question since the year 2014 and the complainant had been trying all tricks to forcibly dispossess the petitioner's father and his family and had got the electricity connection disconnected at one point of time constraining petitioner's father to file a civil suit for restoration of the electricity connection, wherein interim order for restoration of electricity connection was passed and electricity connection was, thus, restored. Learned counsel has further submitted that in any case, it is the petitioner's father with whom the complainant can be said to have a dispute and that he has falsely been implicated simply to pressurize the petitioner's father, who is the tenant of the complainant.
4. Opposing the petition, learned State counsel has submitted that since the petitioner and his father are into such like business of taking properties on rent and not vacating without accepting huge amount,

the petitioner does not deserve the concession of bail. Learned State counsel has, however, informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that his custodial interrogation is not required.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the nature of allegations which tends to show that it is mainly a matter arising out of a dispute between landlady and tenant regarding the eviction of premises and while also noticing that the petitioner, in any case, has joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 29.11.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

20.09.2021

VY

(GURVINDER SINGH GILL)**JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**