

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

212

**CRM-M-16201-2022
Date of Decision: 26.04.2022**

MANDEEP SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. A.D.S. Sukhija Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

Instant petition is the first petition that has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.59, dated 01.06.2018 under Sections 387 & 506 of the Indian Penal Code, Section 66A of the Information Technology Act 2000 (Section 201 and 120-B of IPC added and Section 66A of Information Technology Act deleted later on) registered at Police Station Phase 8, SAS Nagar, Mohali.

Learned counsel appearing on behalf of the petitioner *inter alia* contends that FIR in question has been registered on the statement of one Rupinder Singh @ Gippy Grewal son of Sawinder Singh Grewal, who happens to be a singer and actor by profession in Punjabi movies. He is stated to have received threatening calls from a mobile No.+1(289)401-2435 on his mobile No.87270-00021 extending threats for extortion. The caller on the other side had introduced himself as one named Dilpreet Singh

@ Baba and the caller claimed to have extended threat that in case the complainant does not submit to their demands, he shall meet the same fate as Chamkila and Parmish Verma.

Learned counsel submits that no allegation has been levelled against the petitioner and he was nominated in the instant case pursuant to the arrest of said Dilpreet Singh @ Baba, who was the prime accused and in his disclosure statement, it is stated by him that the telephone number of the complainant Rupinder Singh @ Gippy Grewal was arranged by the petitioner herein. It is further submitted that no recovery pursuant to the disclosure statement has been made from the petitioner. It is further pointed out that the petitioner is in custody since 28.02.2022. It is also pointed out that the challan against the petitioner has not been filed so far. He further submits that the telephone number of the complainant would be available on various public platforms and it is not a secret information. Merely because the petitioner is alleged to have provided the telephone number does not make him a co-conspirator in the offence. There is nothing on record to suggest that the petitioner is in any manner linked to Dilpreet Singh @ Baba or was part of the conspiracy or was even aware of the purpose for which the telephone number of the complainant was sought from the petitioner.

Mr. Karanbir Singh, AAG, Punjab, who is present in the Court, does not controvert the said fact, however, he submits that the petitioner was arrested from the airport pursuant to a LOC that was issued against him. It is contended that there is possibility that the petitioner would abscond from the country.

Keeping in view the nature of the allegations levelled against

the petitioner; the period of custody; the stage of investigation and his name having been nominated on the basis of disclosure statement of co-accused, which did not result in effecting any recovery from the petitioner, I deem it appropriate to extend the concession of regular bail to the petitioner.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing heavy bail bonds/surety bonds to the satisfaction of Trial Court/Duty Magistrate, concerned and also subject to surrendering his passport to the Investigating Agency, in the event, if it is not already with the police. The petitioner would further be required to be present in the Police Station concerned at 11.00 A.M. of every second Monday of each month to ensure his presence in the country.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

26.04.2022
rajender

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No