

276 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18301-2022
Date of Decision: 23.05.2022

Paramjeet Kaur @ Rani

.....Petitioner

Versus

State of Haryana & another

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Lupil Gupta, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

JASJIT SINGH BEDI, J.(Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in a case registered against her vide FIR No.68 dated 01.02.2021 under Sections 342, 384, 388, 389, 506 IPC with Police Station City Sirsa (Annexure P-1).

2. The present FIR came to be registered at the instance of Banwari, who stated that he was running a tyre puncture shop, where the main accused Harpal got installed a tube in his motorcycle but since he did not have the money to pay for the tube, he mortgaged his mobile phone with the complainant. This mobile phone was stolen from the shop of the complainant upon which a Panchayat took place and a compromise was arrived at between the parties, wherein, the complainant had given a sum of Rs.3300/- to Harpal in lieu of his mobile phone. He was to return this money in case the mobile was found. He

further states that on 30.12.2020, he received a phone call from Harpal that the mobile had been found, which is lying in a house in Kalyan Nagar Gali and asked the complainant to come to the said house for taking the phone. When the complainant reached the house, Harpal took the complainant into the house, where a lady came and offered him water. Harpal went outside and closed the door from outside. When the complainant tried to go outside, the lady bolted the door from inside pushed the complainant on the bed and removed his Pyjama. Thereafter, someone knocked at the door from outside, whereupon the said lady in the room open the door and it was Harpal along with two men and one lady, who was standing at the door. The complainant was threatened with the allegations that he had committed rape with the lady in the room and one of the man started taking photographs on his mobile phone. The complainant was slapped and threatened and a demand of Rs.1,50,000/- was made failing which an FIR of rape would be registered against him. Ultimately, a sum of Rs.50,000/- was borrowed from Joginder and Rs.20,000/- from Chotu Ram and the money was handed over to the accused.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. She has not been named in the FIR and her name finds mentioned in the disclosure statement of Harpal. He submits that the petitioner has no criminal antecedents and being a lady deserves the concession of anticipatory bail, moreso, when the custodial interrogation of the petitioner is not required.

4. I have heard the learned counsel for the parties at length.

5. During the course of investigation, it was revealed that the petitioner was accompanying Harpal along with two other men at the time when the occurrence took place when the complainant was inside the room with a girl. Further, the statement of Joginder and Chotu Ram had been recorded, wherein, they have admitted that a sum of Rs.50,000/- and Rs.20,000/- respectively was taken by the complainant to hand over to Harpal. Thus, it is apparent that Harpal in connivance with the petitioner and other accused extorted a sum of Rs.70,000/- from the complainant.

6. Quite obviously, the petitioner has played a vital role in the said extortion. Even otherwise, the investigation is at the initial stage and the custodial interrogation of the petitioner would be required to find out the truth and the names of the other accused. At this stage, there is nothing to suggest that the petitioner has been falsely implicated.

7. Keeping in view the gravity of the offence and the role played by the petitioner, the custodial interrogation of the petitioner is required. Thus, the present petition for the grant of anticipatory bail is hereby dismissed.

(JASJIT SINGH BEDI)
JUDGE

23.05.2022
JITESH

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