

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-26577-2022 (O & M)****Date of decision: 15.06.2022**

Prince Kumar

.... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Fariad Singh Virk, Advocate, for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 438 Cr.P.C. is for the grant of anticipatory bail to the petitioner in case FIR No.94 dated 21.05.2022 under Sections 384, 342, 323, 506, 120-B IPC registered with Police Station Kotwali, Patiala, District Patiala.

The present FIR came to be registered at the instance of Amandeep Gupta son of Sham Lal Gupta to the effect that he was doing the work of Insurance. On 08.05.2022, He received a phone call from phone No.62393-90307 and a woman spoke to him disclosing her name as Preeti Goyal. She stated that she wished to meet him regarding insurance. She asked him to come to her house. Ultimately, he met Preeti Goyal in front of the house of one Seema Sharma, President M.C. and she (Preeti Goyal) stated that he should come to her house as it was very hot outside. When he entered her house and he was drinking water, two persons came from outside, pulled his shirt near the neck off and pushed him and threw him on

the bed and forcibly took off his clothes and made a video by stripping him

naked. Both the boys, thereafter, called another man by making a phone call, who claimed to be Preeti Goyal's husband. The two boys took out a wallet from his (complainant's) pant containing Rs.5500/-, Aadhaar Card, PAN card, 04 other cards and a draft of Rs.10,000/- of SBI Bank. They also took out Rs.2500/- from the left pocket of his pant and further demanded a sum of Rs.70,000/-. It came to the notice of the petitioner that the names of the persons were Prince son of Madan Lal (present petitioner), Robin and Rinku and he could recognize them if they were brought before him. It was, thus, apparent that he (complainant) had been brought to the house under a conspiracy to blackmail him and commit the offences in question.

The learned counsel for the petitioner contends that the version in the FIR is completely concocted. The alleged occurrence took place on 12.05.2022 and the FIR was lodged on 21.05.2022 i.e. after a delay of 10 days. He contends that there is no MLR of the complainant to corroborate his oral version. He refers to certain messages exchanged between Preeti Goyal and the petitioner to contend that, in fact, the complainant himself had gone to the house of the said accused (Preeti Goyal).

The learned State counsel, on the other hand, contends that the petitioner has committed a serious offence and the manner in which it has been committed, does not entitle him to the grant of anticipatory bail because it is apparently a case of extortion as is set-out from the prosecution case.

I have heard the learned counsel for both the parties.

The allegations as levelled in the FIR are extremely serious. It clearly appears to be a case of extortion and illegal confinement wherein the complainant has been misled to meet Preeti Goyal leading to the occurrence unfolding as suggested in the FIR. The case is at the stage of investigation

and various recoveries are to be effected from the accused, and therefore, the custodial interrogation of the petitioner is necessary.

Thus, there is no merit in the submissions made by the learned counsel for the petitioner, and therefore, the present petition being devoid of merit, is hereby dismissed.

(JASJIT SINGH BEDI)
JUDGE

June 15, 2022
sukhpreet

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