

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31662-2021
Date of Decision: 27.07.2022

MANPREET SINGH ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Amitabh Tewari, Advocate and
Ms. Dilmrig Nayani, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG Punjab.

Mr. R.S.Baweja, Advocate for the complainant.

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VIVEK PURI, J. (ORAL)

On 09.08.2021, following order was passed:

“Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.208 dated 15.06.2021 lodged under Sections 506, 509, 384, 120-B of the Indian Penal Code, 1860 and Section 67 and 67-A of the Information Technology Act, 2000 registered at Police Station Civil Lines, District Patiala, Punjab.

Learned counsel for the petitioner, *inter alia*, contends that a false case has been foisted upon the petitioner for allegedly blackmailing the daughter of the complainant and uploading her objectionable photographs on the social media.

Learned counsel submits that in fact, the daughter of the complainant had solemnized love marriage with the petitioner who also happens to be her distant relative. He further submits that the relations between the petitioner and his wife i.e. daughter of the complainant were cordial prior to their marriage as can be discerned from the contents of the correspondence/whatsapp messages which have been annexed with this petition and at no point in time was the daughter of the complainant put under any threat, much less, for extortion for money, as has been alleged in the FIR in question.

Learned counsel for the petitioner has also submitted that the petitioner had helped his wife i.e. daughter of the

complainant, to go to Canada for her studies for which he spent a considerable amount of money. Once in Canada, his wife i.e. complainant's daughter strangely stopped taking his calls. No sooner did he realize that something was amiss and apparently a fraud had been played upon him, the petitioner immediately approached the ADGP, NRI Wing, Punjab, Chandigarh by way of a complainant dated 04.06.2021 (Annexure P-5).

Learned counsel has further contended that even the allegations of some objectionable photographs of the daughter of the complainant having been uploaded by the petitioner are patently false as there was no material on record which could connect the petitioner with the ID from which such photographs, if any, had been uploaded. It has lastly been contended that the FIR in question was registered as a counter blast to the complaint dated 04.06.2021 (Annexure P-5) given to the ADGP, NRI Wing, Punjab, Chandigarh.

Learned counsel has contended that the complainant has also tried to implicate the sister of the petitioner in this false case who has since been granted the concession of anticipatory bail vide order dated 26.07.2021 passed by this Court in CRM-M-28837-2021, titled as ***Preet Vs. State of Punjab***.

Notice of motion.

Mr. R.S. Baweja, Advocate, has put in appearance on behalf of the complainant.

On the asking of Court, Mr. Luvinder Sofat, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

Meanwhile, petitioner is directed to join the investigation as and when required by the investigating officer. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Code of Criminal Procedure, 1973.

Adjourned to 29.11.2021."

Learned counsel for the petitioner contends that in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from SI Harinder Singh, has not assailed the aforesaid factual aspect of the case and stated that custodial interrogation of the petitioner is not required.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 09.08.2021 is made absolute.

The petition stands allowed.

27.07.2022

Janki

**(VIVEK PURI)
JUDGE**

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