

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(218)

CRM-M-31014-2022
Date of Decision: 06.09.2022

Vikramjit Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. G.P.S. Ghuman, Advocate for the petitioner.

Mr. Karunesh Kaushal, A.A.G., Punjab.

Mr. Piyush Kant Jain, Advocate,
Mr. Yogesh Goel, Advocate for and
Mr. Saurabh Singla, Advocate for the complainants.

RAJESH BHARDWAJ.J (Oral)

This is the second petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case FIR No.275 dated 1.10.2019 under sections 420, 376, 506 IPC (section 201 IPC added later on) and section 67A of IT Act, registered at Police Station, Jamalpur, Police Commissionerate, Ludhiana.

As per factual matrix, the FIR in question was lodged by Chaman Lal, wherein it was alleged that he entered into an agreement to sell a property with Reena Rani wife of Ravi Kumar, however, on the date of execution of the sale deed Reena Rani did not turn up to the office of concerned Sub Registrar. Later on the complainant found to have been cheated as it was revealed that Reena Rani had entered into agreement to sell with him clandestinely as she had already sold the property under consideration in connivance with her daughter Pooja Ghai and Vikramjit

Singh i.e. the present petitioner. Rather the property was sold to the petitioner Vikramjit Singh. The complainant alleged that he was cheated with the earnest money of Rs.5 lakh. On the basis of these allegation present FIR was registered.

During investigation, statement of Reena Rani (who was declared as victim) was recorded under Section 164 Cr.P.C. It was hereinafter that the additional offences pertaining to sexual abuse and I.T. Act were added. Petitioner was arrested on 22.2.2022. He approached the court of learned Addl. Sessions Judge (FTSC), Ludhiana for grant of bail, however, after hearing the parties, the same was declined vide order dated 22.3.2022. Aggrieved by the same petitioner has approached this court for grant of bail.

Learned counsel for the petitioner vehemently contends that the petitioner has been falsely implicated in the present case. He submits that the bone of contention is the civil litigation between the parties and the same has been given the colour of a criminal case. He submits that the petitioner has purchased the property from the complainant through a registered sale deed, however, after selling the property in question the complainant became dishonest and he tried to grab the same back and thus lodged a false and frivolous FIR against him. He submits that the nephew of the complainant filed an application dated 12.10.2018 to the Commissioner of Police, Ludhiana for lodging the FIR against Chaman Lal i.e. the complainant. He submits that present FIR does not disclose any cognizable offence and thus false implication of the petitioner is writ large.

He submits that investigation in the case is complete and hence

petitioner deserves to be granted the benefit of bail.

Learned counsel for the complainant has opposed the submissions made by counsel for petitioner. He submits that petitioner is a habitual offender and this is not the first case against him where he has cheated the innocent complainant. It has been submitted that in all there are 8 more cases pending against the petitioner. Counsel submits that statement of Reena Rani was recorded under section 164 Cr.P.C wherein she disclosed about the sexual exploitation of herself and her daughter by the petitioner Vikramjit Singh. Not only this petitioner also made objectionable videos on the strength of which he had been blackmailing Reena Rani and her daughter. It is submitted that in some of the cases petitioner has been declared Proclaimed Offender. Counsel submits that granting bail to the petitioner at this stage would definitely prejudice the on going trial and thus the present petition deserves to be dismissed.

On the other hand, learned State counsel submits that petitioner is a habitual offender. He submits that statement of the prosecutrix under section 164 Cr.P.C was recorded wherein it was revealed that petitioner had been blackmailing both mother and daughter on the strength of objectionable videos made by him. It is submitted that there are 8 more cases pending against the petitioner. He submits that investigation in the case is complete, challan has been presented and the case is fixed for framing of charges.

I have heard learned counsel for the parties at length and have gone through the records carefully.

Apparently, petitioner is the beneficiary of the property regarding which the complainant had entered into an agreement to sell with him. Allegedly after having been given the earnest money the complainant Chaman Lal found himself to be cheated by the petitioner. Thereafter, as the investigation progressed and the allegations against the petitioner were made by the prosecutrix that he had been blackmailing and sexually exploiting herself and her daughter on the strength of some objectionable videos. Besides this, the petitioner is involved in 8 more cases. Investigation in the present case is complete and challan has been presented, however, the case is fixed for framing of charges. The trial is at its initial stage.

Keeping in view the overall facts and circumstances of the case and antecedents of the petitioner, this court is of the opinion that granting bail to the petitioner at this stage would definitely hamper the course of a free and fair trial. Resultantly, present petition being devoid of any merit, is dismissed. However, nothing stated herein shall be treated as an expression on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

06.09.2022

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No