

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

220

CRM-M-42137 of 2022

Date of decision: 21.11.2022

Sajan Kumar Wadhera @ Sajan Wadhera

..Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. R.K. Girdhar, Advocate for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

Mr. J.S. Bhatia, Advocate and
Mr. Prabhjot Singh, Advocate for the complainant.

HARNARESH SINGH GILL, J.

Through this petition, the petitioner seeks regular bail in case FIR No.119, dated 22.06.2022, under Sections 306 read with Section 34 IPC, registered at Police Station Sadar Fazilka, District Fazilka.

Status report dated 19.11.2022 by way of affidavit of Deputy Superintendent of Police, Sub Divisional Fazilka filed in the Court is taken on record. Registry is directed to tag the same at an appropriate place.

Learned counsel for the petitioner states that though the petitioner was named in the FIR but there is no specific allegation against the petitioner qua abatement, that as per the FIR the only allegation against the petitioner by the complainant that when he came from Solan his son (deceased) Mohit told him that the petitioner along with co-accused harassed him a lot and black mailing him for

extortion of money and also gave threat to kill him. Mohit (since deceased) went to Delhi to attend Bhandara where he committed suicide in a hotel at Delhi. There is no suicide note. The challan has been presented. Charges have been framed and the co-accused Sajjan Kumar @ Babloo Thathai has already been granted anticipatory bail by this Court. Nothing is to be recovered from the petitioner. Learned counsel for the petitioner further states that Mohit committed suicide on 14.05.2022, body was recovered on 25.05.2022 but the FIR was registered on 22.06.2022 and the petitioner has been in custody since 23.06.2022.

Learned State counsel as well as learned counsel for the complainant while opposing the bail application states that the petitioner along with co-accused regularly harassing the deceased Mohit for extortion of money because of that reason Mohit committed suicide and the petitioner does deserve the concession of bail.

I have heard learned counsel for the parties.

The allegation against the petitioner is that when the complainant returned from Himachal Pradesh, his son Mohit (deceased) told him that the petitioner along with the co-accused harassed him a lot and black-mailing him for extortion of money and also gave threat to kill him. The petitioner has been in custody since 23.06.2022. Challan has been presented. Charges have been framed. Co-accused Sajjan Kumar @ Babloo Thathai has already been

granted anticipatory bail by this Court. Nothing is to be recovered from the petitioner.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

November 21, 2022
Poonam Sharma

(HARNARESH SINGH GILL)
JUDGE

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