

223 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-52974-2021

Date of Decision: 2nd May, 2022

Inderpreet Singh @ Captain

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Vaibhav Narang, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. The petitioner is before this Court for regular bail in case of FIR No. 262, dated 19th October, 2021, under Section 387 IPC, 1860, registered at Police Station Civil Lines, District Police Commissionerate, Amritsar.

2. A ransom call was received by Dr. Ashok Kumar Mahajan (for short 'Doctor') and the FIR was registered. A supplementary statement was made that a *WhatsApp* call was received from an international number directing the complainant/Doctor to pay a ransom amount to person with code "J" which means Jaggu and code name of the person would be 'Captain'. Audio recording was produced. On the basis of secret information, the petitioner was arrested on 23rd October, 2021, a mobile with a SIM card recovered. In the confession statement petitioner stated that he used to work for Jaggu Bhagwanpuria for collecting ransom amount and was paid commission. He confessed that on instructions he went to Doctor's place but returned back on instructions of Jaggu Bhagwanpuria and thereafter broke his SIM and deleted the data.

3. Learned counsel for the petitioner submits that it is a case of false implication. There is no material to connect the petitioner with the ransom calls received by the complainant. The confession statement recorded by the police cannot be relied as an evidence. No recovery is to be made from the petitioner.

4. Learned State counsel opposes the prayer for grant of regular bail and submits that petitioner is involved in two more FIRs under the Narcotic Drugs and Psychotropic Substances Act. Computer Forensic Science Laboratory (CFSL) report of retrieval of the deleted data is awaited.

5. The observations made hereinafter are only for the purpose of deciding the regular bail and shall not be construed as an expression of opinion on the merits of the case.

6. The petitioner was arrested on the basis of secret information. It is debatable as to how the petitioner was recognized during *Naka bandi*. The evidentiary value of the statement recorded would be subject matter of the trial, the petitioner is in custody since 23rd October, 2021 and investigation is complete, even complainant has been examined but conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

[AVNEESH JHINGAN]
JUDGE

2nd May, 2022

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No