

S. No.217

2023:PHHC:120620

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

CRM-M-13788 of 2023

Date of Decision:13.09.2023

Dilbagh Singh @ Dilbag Singh Petitioner

Vs.

State of Punjab Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Inder Pal Singh, Advocate for the petitioner.
 Mr. P.S. Pandher, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of this petition filed under Section 439 Cr.P.C, prayer has been made by the petitioner for grant of regular bail in case FIR No.256 dated 30.11.2022 registered under Sections 387, 506, 120-B (offence under Section 201 IPC added later on vide GD No.32 dated 04.12.2022) at Police Station City Tarn Taran.

As per prosecution allegations, complainant Chirantan Gupta @ Honey received threatening calls on his mobile from mobile No.98728-11441 to pay ransom amount of ₹20 lacs; otherwise he and his family members were threatened to be killed. On investigation, the mobile number from which threatening call was made, was found to be in the name of petitioner – Dilbagh Singh. It transpired during investigation that co-accused Sahib Singh had exhorted the petitioner to extract money from the complainant by making threatening calls and that the petitioner along with his brother-in-law Hardeep Singh and Balwinder

Singh have connived in making threatening calls.

It is contended by learned counsel that though the sim in question is in the name of the petitioner but the threatening call was not made by him. Learned counsel further contends that similarly placed co-accused Sahib Singh has already been allowed regular bail by co-ordinate Bench of this Court vide order dated 18.05.2023 in CRM-M-15912 of 2023 whereas other co-accused Balwinder Singh was allowed the benefit of anticipatory bail.

Status report has not been filed by the respondent- State. However, custody certificate placed on record reveals that petitioner is in custody for the last nine months and 11 days with no criminal antecedents.

Learned State Counsel concedes that co-accused Sahib Singh has already been allowed regular bail. However, bail is opposed on the ground that the sim in question from which the threatening calls were made is in the name of petitioner.

It is conceded that only threatening calls were made and no ransom amount was paid. Offence in question is triable by the Magistrate. Petitioner has no criminal antecedents. Co-accused Sahib Singh has already been allowed regular bail by a co-ordinate Bench of this Court vide order dated 18.05.2023 in CRM-M-15912 of 2023. Trial may take long time to conclude.

Having regard to all the afore-said facts and circumstances of the case and also on the basis of parity, but without commenting anything further on the merits of the case, present petition is allowed and the petitioner is admitted to bail

on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned.

September 13, 2023

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Whether Speaking/reasoned

Whether Reportable

(DEEPAK GUPTA)

JUDGE

Yes/No

Yes/No