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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.16098 of 2023
Date of Decision: 06.09.2023

Harpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Kamaldeep S.Sidhu, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

Mr. J.S. Warring, Advocate for the complainant.
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SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
34	09.03.2022	384, 388, 389, 506 and 34 of IPC	Nehianwala District Bathinda

2. Briefly stated the facts of the present case are that FIR has been registered on the complaint moved by one Paramjit Kaur is that the petitioner was alleging himself as press reporter and on 06.03.2022 Pargat

Singh had called her husband Vakeel Singh for consuming intoxicants, than while they were taking the same the petitioner in connivance with Pargat Singh got recorded one video of Vakeel Singh under threat and uploaded the same and started blackmailing her husband. As per the allegations on this pretext the petitioner had asked Vakeel Singh to pay ₹40,000/- and on 09.03.2023 when Vakeel Singh was handed over ₹8,000/- to petitioner and one Gurpreet Singh at the given place, raid was conducted and the petitioner was apprehended.

3. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is in custody since 09.03.2022 and the challan has already been presented in Court where the trial is going on and is pending for 11.09.2023 for prosecution evidence, and hence, he prayed for grant of regular bail.

4. *Per contra*, learned State counsel has assailed these arguments by submitting that the petitioner has been apprehended on the spot extorting money from the husband of complainant and he does not deserve the concession of bail. He also referred to the reply dated 06.09.2023 submitted by Deputy Superintendent of Police, Bhuchio, Bathinda, to argue that the petitioner does not deserve concession of bail and the bail application deserves to be dismissed.

5. The arguments advanced by learned counsel for the parties have been heard.

6. After considering the rival contentions and going through the

record, admittedly, the petitioner is in custody since 12.03.2022 in the present case triable by the Court of Magistrate, after completion of investigation, the challan has been presented in Court and the trial is going on and it may take sufficient time for disposal of challan. The recovery of ₹8,000/- has already been effected in the case. Admittedly, there is no criminal case registered against the petitioner, therefore, considering all these facts and circumstances, it is observed that no purpose would be served by detaining the petitioner in custody any longer.

7. Consequently, in the light of the above, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

06.09.2023

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No