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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19846-2023
Date of decision : 30.11.2023

AAKASHPetitioner

Versus

STATE OF HARYANA ...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Gaurav Tyagi, Advocate
for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.314 dated 13.06.2022 registered for the offences punishable under Sections 387, 507, 120-B IPC, 1860 and Section 25(1-B)(a) of Arms Act, 1959, at Police Station Sector-10, Gurugram, Haryana.

2. As per the contents of the FIR it has been alleged as under :

“xxx I Amardeep Singh Lamba son of Virender Singh Lamba, resident of House No.G-56, Bali Nagar, New Delhi-110015. I have a factory of in plot No. 117, Udyog Vihar, Phase-6, Sector 37, Gurugram, District Gurugram. In which we manufacture bag. Today on 13.06.2022 at around 13.32 afternoon, I was in Sector 37, Gurugram. Then I received a phone call in my mobile No.9999999256 from mobile No. 13656022611 | received a

whatsapp call and he introduced himself as member of Lawrence Bishnoi and Kala Jatheri group and he said that we have your location from Gurugram to America so as extortion and he demanded Rs. 5 crore otherwise we will kill you. I cut the phone then after sometime, another link was share to me on whatsapp and a voice note was shared and he threatened me. Now I am giving you my complaint and with that I am giving the voice note that I received on the whatsapp in the pen drive. It is requested that investigation be done. Sd/- Amarjit Singh xxx”

3. Petitioner is stated to be behind bars since 14.06.2022. Counsel for the petitioner asserts that an attempt to falsely implicate the present petitioner is evident from the record as disclosure statement (Annexure P-4) is alleged to have been suffered by him on 15.06.2022 leading to recovery of pistol whereas pictorial diagram of the said pistol and live cartridge is dated 14.06.2022.
4. Per contra, State Counsel submits that the same is merely a typographical mistake and pistol having been recovered from the present petitioner there is evidence against him.
5. It is not disputed by both the counsels that the trial has proceeded considerably as 09 out of 17 cited witnesses already stand examined.
6. I have heard counsel for the parties and have gone through records of the case.
7. In view of above, without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner

and the fact that not only the investigation stands concluded but the trial has already proceeded considerably, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

November 30, 2023		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No