

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

**CRM-M-18936-2023
DECIDED ON: 18.04.2023**

SARVOTAM SINGH @ LUCKY

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sonpreet S. Brar, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The instant petition under Section 438 Cr.P.C., has been filed for grant of anticipatory bail to the petitioner in FIR No.0053, dated 01.04.2023, under Sections 384, 506 and 120-B of the IPC, 1860, registered at Police Station Model Town, District Ludhiana.

The petitioner is an unknown person, who was making call as per the version made in the FIR itself and there is no identification of the petitioner at all connecting to the crime in question.

Learned counsel for the petitioner states that earlier also certain complaints were made, wherein a cancellation report was prepared and submitted to the office of superintendent of police, which was recommended for cancellation and, thereafter, the higher authorities got re-investigation marked in the same FIR, which is now pending at Fatehgarh Sahib.

Notice of motion.

On the asking of Court, Mr. Rajiv Verma, DAG, Punjab, accepts notice on behalf of respondent-State, who on instructions from ASI Jatinder Singh submits that in fact the petitioner is operating a gang in connivance with

other people namely Jasneet @ Rajvir Kaur, Lucky Sandhu and one Mohanpal.

Mr. Vaibhav Sehgal, Advocate has put in appearance on behalf of complainant and filed power of attorney.

It has also been submitted before this Court on behalf of State counsel that all the three accused are in fact involved in extortion of money by various means including laying down honey trap taking the help of Jasneet Kaur. In the instant FIR as well, the mobile phone used for making call for extortion belongs to the petitioner and the sim card of the said mobile phone is also on the name of the petitioner. It is also asserted by learned State counsel that petitioner is involved in 8 other cases bearing FIR No.199 dated 28.12.2013, under Sections 336, 506 of IPC, registered at Police Station Sahnewal, Ludhiana, FIR No.262 dated 18.10.2017, under Sections 336, 506, 148, 149 of IPC, registered at Police Station Sahnewal, Ludhiana, FIR No.33 dated 27.01.2018, under Section 307 of IPC, registered at Police Station Division No.5, Ludhiana, FIR No.140 dated 02.12.2020, under Sections 188, 269,270 of IPC, registered at Police Station Sector 11, Chandigarh, FIR No.213 dated 14.12.2020, under Sections 336, 188 of IPC, registered at Police Station Koom Kalan, Ludhiana, FIR No.268 dated 17.09.2022, under Sections 384, 506, 120-B of IPC, registered at Police Station City Kharar, Mohali, FIR No.53 dated 01.04.2023, under Sections 384, 506, 120-B of IPC, registered at Police Station Model Town, Ludhiana and FIR No.91 dated 08.04.2023, under Sections 30-54-59 of Arms Act, 1959, registered at Police Station Sahnewal, Ludhiana.

Learned State counsel contends that in three cases, the petitioner is absconding and evading the arrest and investigation is not progressing and

case pertains to 17.09.2022.

The aforesaid facts are sufficient enough for this Court to infer that the petitioner is an habitual offender and is involved in extortion and blackmailing the persons to grab huge amount running into lacs and has duped many persons. The investigation in the case bearing FIR No.268 dated 17.09.2022, under Sections 384, 506, 120-B of IPC, registered at Police Station City Kharar, Mohali, wherein re-investigation is still pending.

The record of the case further reveals that the petitioner is using different UID numbers as well as mobile phones and even the name as Kaushal Chaudhary. It is also apparent on the facts that on 02.04.2023, co-accused Jasneet Kaur was arrested and she got recovered Rs.1,00,000/- from her house and she has disclosed that mobile number 863446572 from which the complainant had received whatsapp call belongs to Sarvotam Singh @ Lucky Sandhu s/o S Swarn Singh Sandhu r/o B-11-209, Sahnewal, District Ludhiana, who is none other than the present petitioner. There is long detail of whatsapp call and chatt with from this mobile number alongwith 9620900013, and, therefore, on the basis of this material, petitioner has been arrayed as an accused from rightly and subsequent in the instant FIR.

Looking into the background and the petitioner's conduct and as an habitual offender, he does not deserve the concession of anticipatory bail. Hence the petition stands dismissed being devoid of merits.

(SANDEEP MOUDGIL)
JUDGE

18.04.2023
Meenu

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