

**(209) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-312-2023 (O&M)
Date of Decision:27.01.2023**

Surinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present : Mr. Naveen Batra, Advocate for the petitioner.

Mr. Luvinder Sofat, D.A.G. Punjab
assisted by SI Inderjit Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.155 dated 12.11.2022 at Police Station Nangal, District Rupnagar, under Sections 384, 385 IPC; and Sections 7 and 7A of the Prevention of Corruption Act, 1988.
2. The FIR was lodged at the instance of Dalbir Singh wherein he stated that he is running a stone crusher under the name and style of Ludhiana Stone Crusher in the limit of village Algra and he had been purchasing raw material from one Rakesh Kumar Chaudhary from his sanctioned mines in village Sansowal, Taraf Majari, Bhallan. It is further stated therein that some other Crusher owners also purchased raw material from these mines. Complainant alleged that when they used to go to their crushers after loading raw material from these mines, they used to be waylaid by Yashvir Chand Tikka, Vishal Saini-Advocate, Hardev Singh, Jarnail Singh @ Jola, Surinder Singh Shinda and Jaswinder Singh Giani accompanied by 15-20 unidentified persons and who issued threats that in case they were not given money to them they would not allow their vehicles to pass through. The complainant alleged that due to fear that no loss is caused to their work, the crusher owners had been paying the demanded amount which is to the tune of Rs.1 lacs to 1.5 lacs per Crusher and in this manner, the said persons had forcibly collected about Rs.2-2.5 crores from crusher owners.

3. Learned counsel for the petitioner submitted that the petitioner is a petty electrician in the village and has falsely been implicated in the present case and has nothing to do with the alleged extortion.
4. Learned State counsel, while opposing this petition, has submitted that since the petitioner has been named in the FIR and specific allegations of extortion have been levelled against all the accused, no case for grant of bail is made out. It has, however, been informed that as on date, the petitioner has been behind bars since the last 2 months and 11 days and that he is not involved in any other case. It has also been informed that challan has been presented and the trial is yet to commence and as many as 15 prosecution witnesses have been cited.
5. This Court has considered the rival submissions.
6. It is correct that the petitioner has been specifically named in the FIR and there are allegations of extortion against all the accused. However, this Court cannot lose sight of the fact that the petitioner has been behind bars since the last more than 2 months and 11 days. Challan has already been presented and the trial, in its normal course, is likely to take time inasmuch as 15 prosecution witnesses have been cited. In these circumstances, further detention of the petitioner would not be justified.
7. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

27.01.2023

rajeev

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No