

CRM-M-63117-2023

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2023:PHHC:163920

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

CRM-M-63117-2023
Date of decision : 20.12.2023

RAM SINGH

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Randeep S. Dhull, Advocate for the petitioner.

Mr. A.K. Sehrawat, 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.248 dated 14.11.2023 registered for the offences punishable under Sections 386, 120-B, 34 of the Indian Penal Code, 1860 at Police Station Civil Lines, District Gurugram.

2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.

3. Contents of the FIR read as under :

*To, respected SHO, Police Station Civil Lines, Gurugram.
Respected Sir, I, Ekansh son of Sh. Pawan Raj Singh, am resident of 1605-B, Beverly Park, 2nd MG Road, Gurugram and am employed as a Contractor in the Gurugram Municipal Corporation. That the Pardhaan namely Naresh Malkat and Ram Singh, Rajesh and other people pressurize me to give them 25 thousand rupees monthly, and on the event I do not give it to them they stop our vehicles and cause damage to our vehicles.

For the past few years, in order to have a compliant environment around my work, I have given them 25,000 rupees monthly, culminating to a total of three lakh rupees. I have been constantly receiving threatening calls from Naresh Pradhaan that either you give us the money due since January or we will not allow your cars to ply in Zone 1st and 2nd and you shall have to suffer severe consequences and we will break your arms and legs, not leaving you capable of doing any car work. That after a while I called Naresh Pradhaan on his mobile No.9319255428 that I accept, I shall send your extortion money of 1.25 lakh rupees through a boy named Surender. That after a while I received a phone call from Surender that Naresh Pradhaan is telling to come near 32 Mile Stone Petrol Pump to take the money. That regarding this, after being distressed by their illegal extortion I am having this complaint be submitted before you. Investigation be done upon this complaint and protection be given to my life and property. They have gone on a strike since the past few days. xxxx”

4. Counsel for the petitioner submits that apart from naming the petitioner in the FIR there is no overt act attributed to him. The main allegation *qua* extortion and the threats is against one Naresh Pardhan. It was only Naresh who was caught red-handed while accepting money. Petitioner is behind bars for more than 1 month and 5 days.
5. State Counsel is not in posititon to dispute the factual assertions made by counsel for the petitioner based on record.
6. I have heard counsel for the parties and have gone through records of the case.
7. Without commenting on the merits of the case, keeping in view

the nature of allegations and the role attributed to him and the incarceration suffered by the petitioner, 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.

December 20, 2023		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No