



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

224

CRM-M-1752-2024
Date of decision: May 8th, 2024

Pardeep Singh
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Bikramjeet Singh Jatana, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

Mr. Chahit Bansal, Advocate
for the complainant.

MANJARI NEHRU KAUL, J.

Petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.171 dated 21.11.2023 under Sections 384 and 506 of the IPC registered at Police Station Bareta, District Mansa.

2. Learned counsel for the petitioner has asserted that he has been falsely implicated in the present case. He was arrested on 21.11.2023, and the investigation had now been completed, with the filing of the challan by the investigating agency. Therefore, his further detention would serve no useful purpose, as there could be no risk of tampering with evidence. Additionally, it has been submitted by the learned counsel for the petitioner that he has clean antecedents as he is not involved in any other criminal case. During the course of hearing on the last date, both the learned counsel for the State and the complainant

had opposed the prayer made by the counsel for the petitioner for bail in view of the allegations levelled against the petitioner of trying to extort money from the complainant by blackmailing him. It had been additionally argued by the learned counsel for the complainant that the petitioner had allegedly threatened the complainant to withdraw the present case and not testify against him in the Court. Consequently, the learned counsel for the State had been directed to verify the authenticity of the submissions made by the learned counsel for the complainant and then to file its reply. In compliance of order dated 29.04.2024, learned State counsel has filed reply by way of affidavit of Senior Superintendent of Police, Mansa, which is taken on record subject to just exceptions.

3. Learned State counsel while drawing the attention of this Court to the reply filed has submitted that upon inquiry, it was found that no such threats had been extended to the complainant by the petitioner, rather on 04.04.2024, members of the Bharti Kissan Union had staged a protest outside the Rice Sheller of the complainant regarding some trucks arriving at his Rice Sheller from Bihar. Learned counsel for the State, on instructions, has submitted that the said incident was unrelated to the petitioner.

4. On a pointed query put to the learned State counsel, it has not been disputed that the investigation in the case in hand is complete and charges have not yet been framed. On instructions, it has also not been disputed that the petitioner does not have any criminal antecedents.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. As per the allegations levelled in the FIR in question, the complainant reported to the police that he was owner of two Rice Shellers at Bareta. Allegedly, the petitioner had been threatening him for several days. The petitioner claimed to be in possession of a video showing unloading of paddy from the State of Haryana in the Rice Sheller of the complainant. As per further allegations, the petitioner demanded ₹2 lakh from the complainant, threatening to publish the video on social media, if not paid. However, after negotiations, petitioner agreed to accept ₹1 lakh from the complainant. It was in the above background, on a complaint made by the complainant that the FIR came to be registered against the petitioner.

7. Admittedly, the petitioner does not have any criminal antecedents. The trial is unlikely to conclude in the near future as charges are likely to be framed only on the next date, coupled with the fact that as many as seven witnesses have been cited.

8. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

9. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

May 8th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No