

CRM-M-5972-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5972-2024 (O&M)
Date of decision : 24.04.2024

PARDEEP KUMAR

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. H.C. Arora, Advocate and
Ms. Sunaina, Advocate
for the applicant/petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

Mr. Manoj Tanwar, Advocate
for the complainant.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 438 of Cr.P.C. is for the grant of anticipatory bail to the petitioner in case FIR No.12 dated 16.012024 registered under Sections 384, 511, 506, 34 IPC, 1860 at Police Station Kanina, District Mahendergarh.

2. The present FIR came to be registered at the instance of Harish Sharma son of Rajinder Parsad and the same reads as under:-

“To, The Director General of Police, Haryana Sector-6, Panchkula, Sub:- Complaint to provide protection to the life and property of the applicant from the hands of Pardeep Kumar son of Prem r/o of Village Bharat, District Mahendergarh and to take appropriate legal action against him for demanding illegal ransom/extortion. Respected Sir, I, Harish Sharma son of Sh. Rajinder Parsad, r/o Village Sehlag, District Mahendergarh that the applicant is running three

Educational Institutions i.e. i. B.R. Aadrash Sr. Sec. School, Sehlag, Mahendergarh. ii. B.R Degree College, Sehlag, Mahendergarh. iii. B.R College of Education, Sehlag, Mahendergarh. All these three Institutions are recognized by the concerned authorities of the Govt. of India. (i) The B.R. Senior Secondary School is affiliated by C.B.S.E. Board setup in 1996 (ii) B.R College of Education is recognized by National Council of Teacher Education, setup in 2008, (iii) B.R Degree College, Sehlag is affiliated by Maharshi Dayanand University, Rohtak setup in 2015. The applicant have spent a huge amount in the setup and running of these educational institutions. There are good teachers and professors in the Institutions who are providing educations to the students. There are thousands of students who are getting education in these institutions and getting degrees. Since, the day of setup of these institutions, the applicant have followed all the guidelines by the Govt. of India for running these institutions and every year a huge money is spent in running these institutions. All these three Educational Institutions are running in Separate Buildings and no law has been violated. The accused Pardeep Kumar is a mischievous kind of person who is in a habit of Black mailing such Institutions by filing applications under RTI Act. He is running a fake NGO in the name of "Janta Jan Sewak" wherein he is misusing the RTI Act by filing applications against the Institutions and then blackmails those. Due to the malign in the society, the victims does not file any complaint against him due to which is moral is high and some of the police officials are also helping him for not to register any case against him. This accused Pardeep, is filing complaints under RTI Acts against the applicant and threatening

him to close his educational institutions. He is demanding illegal ransom of Rs.50 lacs or he would defame the Institutions of the applicant in the Society. The applicant is having all the conversations recording of the accused with the applicant wherein he and his father Prem are demanding illegal ransom from the applicant. That the applicant have approached all the concerned of authorities but no action has been taken till date. It is humble prayer to you kindly provide protection to the life and property of the applicant from the hands of Pardeep Kumar of Prem r/o of Village Bharaf, District Mahendergarh and to take appropriate legal action against him for demanding illegal ransom/extortion. Thanking you SD/- HARISH SHARMA Sd/- Harish Sharma son of Sh. Rajinder Parsad, r/o Village Sehlag, District Mahendergarh. Mobile no. 94163-44514 Dated 01.10.2023.”

3. The learned counsel for the petitioner contends that the petitioner was a social worker and running a trust. He found that the complainant who runs educational institutions was running them against the norms, rules and regulations of the CBSE, University, Education Board etc. The petitioner had moved complaints (Annexures P-2 and P-3) against the complainant and his institutions. The complainant approached the petitioner and threatened him to withdraw the complaints or face consequences. As the petitioner did not relent, the instant FIR came to be registered against him. The purported conversation between the petitioner and his father one the one hand and the complainant on the other could not be believed. In fact, it was the complainant who was trying to bribe the petitioner so that the petitioner

does not take steps against the complainant and his institutions. As the petitioner was ready and willing to join investigation, he was entitled to the concession of anticipatory bail.

4. On the other hand, the learned State counsel contends that the investigation conducted so far would show that in the garb of running a charitable trust the petitioner and his family members were attempting to extort money from the complainant. Therefore, he was not entitled to the concession of anticipatory bail.

5. The learned counsel for the complainant contends that a perusal of the recorded conversations between the complainant on the one hand and the petitioner and his father Prem on the other would establish beyond doubt that the petitioner and his family members were attempting to extort money as they had filed complaints against the complainant and his educational institutions. As the offence was *prima facie* established, the custodial interrogation of the petitioner was required and therefore, he was not entitled to the concession of anticipatory bail.

6. I have heard the learned counsel for the parties.

7. The Hon'ble Supreme Court in the case of ***Sumitha Pradeep Vs. Arun Kumar C.K. & Anr.*** **2022 Live Law (SC) 870** held that merely because custodial interrogation was not required by itself could not be a ground to grant anticipatory bail. The first and the foremost thing the Court hearing the anticipatory bail application is to consider is the prima facie case against the accused. The relevant extract of the judgment is reproduced hereinbelow:-

“It may be true, as pointed out by learned counsel appearing for Respondent No.1, that charge-sheet has already been filed. It will be unfair to presume on our part that the Investigating Officer does not require Respondent No.1 for custodial interrogation for the purpose of further investigation.

Be that as it may, even assuming it a case where Respondent No.1 is not required for custodial interrogation, we are satisfied that the High Court ought not to have granted discretionary relief of anticipatory bail.

*We are dealing with a matter wherein the original complainant (appellant herein) has come before this Court praying that the anticipatory bail granted by the High Court to the accused should be cancelled. To put it in other words, the complainant says that the High Court wrongly exercised its discretion while granting anticipatory bail to the accused in a very serious crime like POCSO and, therefore, the order passed by the High Court granting anticipatory bail to the accused should be quashed and set aside. **In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the***

court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.

8. The relevant extracts of the conversations between the complainant on the one hand and the petitioner on the other dated 22.08.2023 are reproduced hereinbelow:-

“Pardeep: I have said only for the income of B.Ed College. Time: 7:45

Harish: We don't have that much money, Pradeep Ji.

Pardeep” Don't have money? Does B.Ed College not earn this much even in one year? Time: 7:53

Harish: Why are you targeting B.Ed College? You're not looking at anything else? You caught the only B.Ed college.

Pardeep: Everything is wrong.

Harish: You are saying, B.Ed College's one year earning.

Pardeep: I am saying for only one year's earning of B.Ed college. I am just saying for donation. Time: 8:10

Harish: Pardeep Ji, Please...

Pardeep: I am saying for donation only. Time: 8:15

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Harish: What wrong we have done with the students? You are wise man.

Pardeep: No, we are not wise. You are wise, you are running four institutions at one place. Time: 9:50

Harish: We are making our living sir. We can request you with folded hands. If there is any other option, please tell me?

Pardeep: I have no option other than donation (One year earning of B.Ed College). Time: 10:25

Harish: For the last one month, my mind has been so disturbed that I cannot say anything to you.

Pardeep: No problem.

Harish: No problem, then leave us. Why are you targeting us?

Pardeep: I am against the system. I told you to improve your system and you are not improving your system.

Harish: The system will improve gradually.

Pardeep: If you had improved gradually, then how many years have passed since you running the institutions?

Harish: Yes, I am doing it, but there is not that much profit.

Pardeep: Tell me where is the shortfall in profit.

Harish: Whatever money we earn in B.Ed college, we spend it on students.

Pardeep: Then why you opened the institute? When you are not earning then why you opened the institute?

Harish: This is the era of competition and the earning is not that much as you think.

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Pardeep: I told you about donation (One year earning of B.Ed College), what I had in my hand. But you don't like that. Then what is left in my hand? You don't understand what I tell to you. So, what should I do?

Time: 14:37

Harish: Pardeep ji, will improve gradually.

Pardeep: I had given you 8-10 days' time to think about it and tell me? But it is okay that you have come today,

otherwise I am telling you, I am giving the file to the High Court. Neither are you improving your system nor you are giving donation (One year earning of B.Ed College).

Time: 15:30

Harish: Improving it gradually.

Pardeep: Gradually, do it gradually, there is no problem. Do it when the court order comes. And take time from the court that we will do it gradually.

Time: 16:12

Harish: You are the court for us.

Pardeep: Look, I will do my strong advocacy. I took out all the documents.

Time: 16:30

Harish: What problem do you have with our institutions? Are you facing any loss?

Pardeep: I don't like your four institutions. This is my aim.

Time: 19:20

Harish: This is nothing. What problem do you have?

Pardeep: If the High Court says then you can open two more. I don't have any problem.

Harish: You tell me what do you want?

Pardeep: The Court will call the departments. And will ask them on what basis this institution is open?

Harish: You can say whatever you want. Whether the court asks the departments or us, the matter is the same. If you do it commonly then it is fine. But don't target us personally. The matter of books is fine, involve everyone in it.

Harish: Yes

Pardeep: When is your meeting will held?

Time: 21:10

Harish: It's been a long time. It's been 2-3 years since the meeting took place. No meeting has taken place after the lock down.

Pardeep: Tell me about the meeting this time, then I will come to the meeting and ask questions from all the school people.

Time: 21:14

Harish: Pardeep ji, why are you targeting us alone? If someone's business is running and someone's livelihood is going on, then why do want to close it?

Pardeep: That day also I had given you the option to keep one institution. Whatever you like?

Harish: Tell me what to do?

Pardeep: I told you this earlier also and I am telling you the same now, choose one institution. Even today I say that keep any one institution. I have waited for you long enough.

Time: 22:25

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Harish: Please give some solution.

Pardeep: I don't have any solution. Tell me which institution to keep? Or I give only one week's time then let me know. Tell me whatever you want and that decision will remain firm.

Time: 28:28

Harish: Pradeep ji, it is the same thing today and it will remain the same even after a week.

Pardeep: Either you tell it today or take a week's time. And I can't say anything more than that.

Time: 28:48

Harish: I will say the same again, why are you targeting us alone?

Pardeep: What date is it today? Today is 22nd Reply to me by 30th. I have given 30th date. I will go to High Court on 1st.

Time: 29:07

Harish: Who will say that close the institution? Why don't you file a common case?

Pardeep: I will file common case on books matter. You have reach to the top. Neither I am in politics, nor any of my family members are in politics.

Time: 29:58

Harish: There is no such thing. If that were so then why would I come to you?

Pardeep: I have all the information. I also know where your other institution is. Nothing is hidden from me.

Harish: That's ok.

Pardeep: Okay, then you tell me by 30th. The first is yours and then mine.

Time:32:25

Harish: There is no such things in this. Man can get information from anywhere.

Pardeep: I have told you my plan regarding donation (One year earning of B.Ed College).

Time:32:38

Harish: Please reduce some amount, otherwise we will have to take loan to donate.

Pardeep: Why taking loan? Sahab, you are earning one crore from B.Ed College every year.

Time: 33:28

Harish: Please see.

Pardeep: This is just a donation. Whatever I demand, I have demanded with my heart and for my own satisfaction.

Time: 33:30.

Harish: Pardeep ji, this is too much.

Pardeep: No No, I have told you that nothing can be done in this and I have given time till 30th.

Harish: Ok Pardeep Ji."

9. The relevant extracts of the conversation between the complainant on the one hand and Prem father of the petitioner on the other are reproduced hereinbelow:-

"Prem: Brother, what is the matter, tell me clearly, I have also asked Pradeep, whatever has happened to you, tell me clearly, there is nothing to hide in it.

Harish: Ok.

Prem: Brother, I tell you one thing that I perform Havan daily in the morning since 2013. I do good work and this is charitable work.

Harish: Yes, absolutely, absolutely.

Prem: I say one thing, if he take money in charity, it will be taken in your name only. So I say one thing, money is a lot but money is not everything.

Harish: Yes sir.

Prem: Look master, nothing will go with us. Whoever commits religion sins will go along.

Time: 1:23

Harish: Yes sir

Prem: I am saying the same thing, I asked him a lot and there is nothing to hide in it even if recording is being done. I will get Harish to do charity.

Harish: Yes sir

Prem: So brother, in the matter of charity, I would say that you have the capacity, you have everything from God. So why are you keeping tension in your mind? Donate it brother, he will get it done in your name and not in his own name. The slip will be cut in your name.

Harish: It is true that you talk about charity, but this much charity will have to be done only by taking a loan.

Prem: Look, let me tell you one thing, Master ji, you are doing all these talks in a roundabout way. I have contact with my school's masters, all of them keep loans. I have also taken KCC loan.

Harish: I am saying that everyone does charity. I do it too, you do it too. We keep doing charity. Many cowshed/temple people come to the school to collect donations and we donate.

Prem: I say one thing that whatever a man does, he does it for himself. If he does good, he does it for himself. When we do bad, we do it for ourselves. We have to bear own suffer, no other one will suffer it.

Harish: Pradeep is saying to donate 50 lakhs rupees.

Time: 2:56

Prem: Pradeep is saying that, "I have told this to Harish that donate one year's income of one institution, you are running four institutions". This is what he means.

Time: 3:00

Harish: Sir, he is asking for Rs 50 lakh. Where will Rs 50 lakh come from?

Prem: Does Pradeep forcing you? He is just saying that you should donate one year's income of your one institute to charity and give it by cheque. And Pradeep has asked for payment from you only through cheque, and he is not cheating or deceiving you in any way. Pradeep has said same thing like this to you or has he said something else, tell me.

Time:3:55

Harish: Yes, that's what you said. But tell me one thing, after hearing about so much money, the earworms started falling down and the earth went out from under my feet. I have never seen so much money till date.

Time : 4:10

Prem: Those whose school is not running properly, or those who do not have children in school, that is a different matter, like Pandit Jit has a school in our village, he also has less children in school, he is a poor man.

Harish: Yes

Prem: You are running 4 institutions. If you say that you are in debt and you have taken a loan, then I do not accept this. *Time: 5:27*

Harish: I told Pradeep that is no earning in any institution.

Prem: Tell me in which institution there is earning and in which institution there is no earning? *Time:5:58*

Harish: Neither earning in degree college nor earning in school. Suppose the school fees of a child is Rs 50,000/- and the parents request that I am poor then reduce my fees by Rs 10,000 then we do discount in his fees.

Prem: Yes, you do less and I know that the government has also made arrangements to educate the children for free, those 100-50 children would also be studying for free. *Time:6:20*

Harish: Yes, definitely study.

Prem: Brother, listen, I conduct Havan. Whoever gives me Dakshina, I give him slip and if someone gives more than I keep half of it, for oil and water of the motorcycle and half of it I give to the cow shed. Other people get Rs.35000-40,000 as pension but I manage my expense with my old age pension only.

Harish: Yes

Prem: Brother, charity is good. By doing this, your tension is ending. *Time:7:42*

Harish: Sir, does this much amount is donated for charity?

Prem? Reduce some more amount from this, brother?

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Harish: You are father and son, yet I did not even tell you about Pradeep's demand of Rs 50 lakh. I went to Pradeep the day before yesterday. So he said, you went to Supreme Court (my father), did he give you the

solution? First you had to come to the High Court (me) i.e. the High Court will give the solution. I said that I have come to you many times but no solution has been found till now. Then he said that only I will give the solution.

Prem: You are the same for me as Pradeep is? There is no difference in my heart. I am a great supporter of yours.

Time:12:07

Harish: Yes sir

Prem: I have full faith in Pradeep that he helps the poor. I assure you that he will spend the donation he is making you do for the poor.

Time: 12:25

Harish: Yes sir

Prem: And it is not that today he took money from you and will not trouble you again tomorrow. I assure you of this also. There is no guarantee for others. But he will not bother you at all. He is a man of his words and a man of stand.

Time: 12:35

Harish: Yes

Prem: I don't know how you got trapped in its clutches? Why did he targeting you?

Time: 12:55

Harish: I had also asked Pradeep that why is he targeting me?

Prem: There is some reason why he is targeting you? You are educated.

Harish: But I have no acquaintance with him. Any one can say that when you don't even know him then why is he targeting you?

Prem: Nothing happens without a reason. There is some reason for targeting you?

Time: 13:18

Harish: He did not give me any reason.

Prem: I tell you one thing, if your soul gets hurt then don't let it hurt. But I am saying that if he takes money

in charity, then brother, there is no better virtue than this.

Time: 13:33

Prem: I did milk business in Kanina for 20 years, my brain did not work. We could not buy a shop etc., and Pradeep's brain worked, he bought his own shop and built a good property and also earns money. All these things are of one's destiny, that's why I say neither to earn for good son nor to earn for the bad son.

Time: 15:00

Harish: It is true, I had told Pradeep that I can donate one lakh or Rs 50,000. I can't donate that much amount. My heart was shaken after hearing about so much donation and I said, what will I say now after going home? It would be better if you hit me with two shoes.

Time: 15:20

Prem: Hey, just reduce some more amount from it. He is just asking as a charity and taking money through cheque. I have trust on him. Pradeep was telling me that he has made a Trust registered. He said, he takes money as charity in that registered trust and take it from those who have the capacity.

Time: 15:48

Harish: Yes, take money in that Trust, but we will give charity it as per own wish. A program is organized every year in kakrala village, which honors the poor and brilliant students. Every year they take donation from us for that program and we also give it to them. We never refuse them.

Prem: If a man has the Money, he should donate. Nothing is ours brother, everything belongs to God. A man should not look upwards but he should look downwards always.

Time: 16:40

Prem: Mohan Manish is a poet from Kanina, he is a national poet. He has written many poems. There is a poem in which he says that when a person donates Rs 50,000, God doubles it, no matter from where he donates. There is nothing greater than charity.

Time: 28:05

Harish: Yes

Prem: Hey, you will say that the old man is teaching the educated ones. Ha ha (laughing)

Time: 28:50

Harish: It is not like that, it is the experience of an elder man that helps.

Prem: Let me tell you one thing-

If there is no emotion then devotion is useless.

If there is no faith, donation is useless.

If there is no humility then knowledge is useless.

If there is no virtue then beauty is useless.

Even money is useless if it is not used.

The life of ones who does not do charity is meaningless.

Time:29:00

Harish: The eye camp that we are organizing is also an act of charity. This time when we organize this camp; I will call you and you will see for yourself that we are really doing so much charity and I will bring you in the car.

Prem: I agree and we are Arya Samaji people.

Harish: Do you know Prakash Arya of our village, he is also an Arya Samaji, he himself will tell you how do we organize camp?

Prem: I am telling you one thing brother, there is nothing greater than charity. Charity is the biggest thing. Even animals fill their stomachs and what are those humans who do not think about the welfare of others?

Time: 30:10

Prem: Hey, come on, do something? And I will talk to him.

Time: 30:34

Harish: I can donate one or two lakhs and we do it all the time. But I can do only this much as per your request.

Prem: I forgot to tell you one thing. Every year a program is organized in our village and we invite a teacher like you to give us something.

Time:30:48

Harish: Listen sir, Inder Lal ji from Pathera village, he comes to our village every year and we never let him go empty with handed. You can also ask from him.

Prem: Now that person has been changed, now the second one is Prem Raj.

Harish: Okay

Prem: Since last 2 years, we call, SD school owner Jagdev and he gives us something. And we get support, God has given everything, so it is good that he helps us.

Time: 31:20

Harish: We never say no to such things. You can call us anytime. We will donate there.

Prem: Yes, we will definitely call you too. But what to do in this case? We can only invite you when this matter of yours is resolved in peaceful manner. Sometimes I don't even sleep at night. Tell me what does it mean? But my soul feels said when any man is troubled.

Time: 31:49

Harish: Till date I have not talked about Pradeep to anyone.

Prem: Look brother, if you record my talk, then it will not be right.

Time: 32:18

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Harish: Sir, please find a solution for one or two lakhs, if possible.

Prem: Hey you do something and I will ask him something. Do it's half at least.

Time: 32:52

Harish: If such a thing had happened, I would told Pradeep myself.

Prem: You have capacity to donate.

Time: 33:05

Harish: Sir, we don't have so much amount, we join hands or even hold the feet in front of you.

Prem: How many children do you have?

Harish: 2 children

Prem: A boy- a girl?

Harish: Both boys

Prem: Hey, both your sons will be successful. God will give you everything. Don't make me talk crazy. Why does you take so much tension? Don't refuse to donate while you have everything. God given a lot, brother.

Time: 33:20

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Harish: Yes

Prem: Brother, I have to say that if you donate more than your capacity, it will be useful for you in the future (yes, laughing). This deal will be useful in future, that you earned such income which can be useful in future. (ha ha ha laughing)

Time: 38: 13

Harish: This is amount too much.

Prem: I will tell him something, you do something.

Time: 38:29

Harish: Yes

Prem: When you did phone call me, I was performing Havan, this is my daily ritual. Whenever I get time in between farming, I first take bath, perform havan and then I eat food. As soon as I saw that your call came, I

called you back. Whenever I get a call from anyone, I definitely answer it.

Time: 38: 35

Harish: You talk to him and tell me that what minimum amount should I give.

Prem: What should I tell you, Master? I just say, do it half amount at least. Hey, if you do it then God will give you more. God have given you everything. Why do you talk crazy?

Time: 39: 20

Harish: Sir, we don't have that much money.

Prem: Let me tell you one thing, there is tension in your mind. I had taken the name of Bhagat Singh before you, Pradeep was telling me that Bhagat Singh said like this, brother, tell me, whatever amount you say, I will donate you in this Trust. Those who are donors say that brother, let me know when you need more. He is a very social man and a good man. You may not know but you must have heard his name.

Time: 39: 40

Harish: Yes

Prem: He works as a dealer ship, God given him a lot and he sends it. There is no sound in God's stick.

Time: 40: 10

Harish: Yes, a silent stick.

Prem: It's just that we do such deal. Brother, it is God silent stick. There are many masters who ring the bells in the temple but we believe in God. And we worship only that one, without whose will not even a leaf moves.

Time: 40:25

Harish: You talk with pardeep. And tell us. You bless us.

Prem: Ha ha ha (laughing).

Harish: Please bless me. We will listen to you, not Pradeep. You are elder for us.

Prem: What should I do, friend? I will ask him. And so what should I do?

Time:41:09

Harish: You say to Pardeep it like this, I commit for one lakh or two lakhs for donation.

Prem: He will not agree at this much amount. I have talked to him. I am telling you honestly. I told him that I will get the slip cut in Harish's cowshed. I didn't even know about Pardeep's Trust. And that Trust is registered. And that's why he is forcing you donate in it. I don't know much about this matter.

Time: 41:15

Harish: He has formed a Trust and it is registered.

Prem: He was telling me that I have got the Trust registered. Then he must have told you this. He was telling me to take donation by cheque. He was telling me that father, it is not a matter of fraud, I take all the money through cheque. I will use it in charity and not a single penny of yours will be misused. So, brother, I will ask him and tell him something.

Time: 41:50

Harish: You tell Pradeep that I have talked to give that much amount of money.

Prem: I tells you honestly that without consulting you, I had told him that he is the master and God has given a lot of him and I will get it done, he will not refuse. This is what my soul is saying. I will tell and Master will do it. But Pradeep said, I have formed a Trust and I have told Harish to donate one year's income of Institution. He was telling this to me. Now he (Pradeep) is liking your college earnings & feeling cool, so what should I do? That's why I was asking you which college has less earning, choose that one for Pardeep. And check that record. And give that less earning to Pardeep.

Time: 40: 10

Harish: Listen, I have explained everything to Pradeep. Degree college is not profitable. JBT colleges were closed by the government. Only B.Ed. college is running on. The school is being maintained through that, there is no income in the school. Nowadays there is too much competition that schools go door to door to bring students for admission. There is no level of fees in schools. If we are teaching children at low fees then we are also helping people.”

10. A perusal of the conversation does reflect that the complainant's institutions were violating some norms but it also establishes beyond doubt that the petitioner and his father were attempting to extort money in the garb of seeking donations and therefore were blatantly misusing the RTI, Act 2005. Therefore, the offence is *prima facie* made out. Further, with a view to take the investigation to its logical conclusion, the custodial interrogation of the petitioner is certainly required.

11. In view of the aforementioned discussion, I find no merit in the present petition. Therefore, the same stands dismissed.

12. However, the observations made hereinabove are only for the purposes of deciding this bail petition and the Trial Court is free to adjudicate upon the matter on the basis of the evidence led before it uninfluenced by any such observations made herein.

(JASJIT SINGH BEDI)
JUDGE

24.04.2024
JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No