



CRM-M-28903-2024

-1-

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

CRM-M-28903-2024
Decided on:31.05.2024

Kapoor @Golu

.... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ravi Yadav, Advocate for
Mr. Gourav Jain, Advocate
for the petitioner.

Manjari Nehru Kaul, J. (Oral)

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.708 dated 17.12.2023 under Section 25 of Arms Act and Sections 285, 34, 387 and 506 IPC (Sections 120-B, 201 and 212 IPC added later on) registered at Police Station City Tohana District Fatehabad.

2. Learned counsel for the petitioner inter alia contends that a perusal of the FIR in question reveals that neither the petitioner has been named in the FIR in question nor any suspicion raised qua his involvement in the crime in question. Learned counsel has submitted that the petitioner was nominated as an accused later on on the basis of disclosure statement allegedly suffered by some of the accused, who have been named in the FIR in question and who



CRM-M-28903-2024

-2-

were allegedly participated in the crime in question. Learned counsel has further submitted that in the aforementioned facts and circumstances, custodial interrogation of the petitioner would not be required as no recovery is to be affected from him.

3. Notice of motion.

4. Ms. Deepshikha Chauhan, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent. She submits that the petitioner is a man of criminal antecedents as he is involved in five other criminal cases out of which one is between the complainant and the petitioner wherein as well the petitioner along with the co-accused had demanded ransom from the complainant. Learned State counsel has further submitted that it is evident that the petitioner is a member of an extortion gang for which his custodial interrogation would be necessitated.

4. Heard learned counsel for the parties and perused the relevant material available on record.

5. Before proceeding further, it would be apposite to reproduce the allegations levelled in the FIR in question, which is as under:

“Today at 7.14 pm, I received a call from 9729508668 on phone number 7382501313 saying that I am Lakhu from Boxer Gang, who had committed crime about 5 to 7 months back, you have not implemented it. Then I said yes sir tell me



what to do. He said we had asked for 50 lakhs, what happened to that. If you do not give 50 lakhs, we have put a fielding on every single man of yours. Everyone's time is noted. No one will be spared. We are all outside. It does not matter to us. We will not spare anyone. Then I said I will talk to my partner and tell you. He said tell me quickly solve our problem. Give us 50 lakhs. It is a question of our honour. After that, he disconnected the phone. Meanwhile, they caused fired on our shop board and then another firing upon our Tuffen. They again fired but the pistol did not fire, after that all three boys got on a motorcycle and went towards the railway station. A person named Lakhu in the Boxer Gang has demanded a ransom of Rs.50 lakh from me and has threatened to kill my other partner, if I do not pay it. Strict action should be taken against the persons demanding ransom and threatening us and our life and property should be protected."

6. *Prima facie*, there are serious allegations levelled against the petitioner even though he has been nominated as an accused on the basis of disclosure statement allegedly suffered by co-accused.

This Court cannot turn blind eye to the criminal antecedents of the petitioner, which have been brought to the notice of this Court by the State counsel and have been withheld by the petitioner in the present petition.



CRM-M-28903-2024

-4-

7. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. Accordingly, the present petition stands dismissed.

8. 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.

31.05.2024
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No