

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

**Neutral Citation No. 2024:PHHC:058313
CRM-M-55762-2023
Date of Decision: April 29, 2024**

Rajender @ Sonu **...Petitioner**

Versus

The State of Haryana **...Respondent**

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Baltej Singh Sidhu, Sr. Advocate with
Mr. Chandan Singh, Advocate for the petitioner.

Mr. Sumil Jain, Addl. A.G., Haryana.

Mr. Chanderhas Yadav, Advocate for the complainant.

DEEPAK GUPTA, J.(Oral)

By way of present petition under Section 439 Cr.P.C., petitioner prays for his release on regular bail in a case arising out of FIR No.0265 dated 22.07.2023, under Sections 34, 387 and 506 of IPC, registered at Police Station Sadar Jhajjar, District Jhajjar.

2. Power of attorney has been filed on behalf of the complainant.
3. Custody certificate alongwith report of the FSL has been placed on record by learned State counsel.
4. FIR was lodged on the complaint of Sonu S/o Balwan Singh, resident of Village Dhakla, Jhajjar, who is the Sarpanch of the said village. According to him, he had given an amount of ₹21,50,000/- to one Sandeep @ Sonu on 14.05.2014 regarding which an agreement was prepared, but the same could not be executed as said Sandeep @ Sonu was in jail. Later on, he (complainant) asked Sandeep @ Sonu from time to time to return the money, but he started making excuses. On 21.07.2023, complainant received a

whatsapp call at 9.25 a.m. on his mobile. The caller told his name as Akshay Palra and asked the complainant to deliver ₹20 lacs to Sandeep @ Sonu Loharhedi, otherwise he (complainant) shall be killed. Repeated calls were received by the complainant. He then contacted Sonu, who also gave him threat to pay ₹20 lacs. Complianant again received a similar call on 22.07.2023 and the caller told his name as Akshay Palra. Alleging that petitioner was being threatened time and again, he prayed for necessary action against the culprits.

5. It is contended by learned counsel for the petitioner that petitioner has been falsely implicated; that petitioner is not named in the FIR; and that it is only the names of Sandeep @ Sonu and Akshay Palra, which have surfaced in the FIR. Learned counsel further submits that petitioner is in custody for the last more than 09 months with no other criminal case pending against him and so he be allowed bail.

6. As per learned State counsel, it emerged during investigation that it is the petitioner, who had been calling the complainant time and again to part with the money and to pay the same to Sandeep @ Sonu and that petitioner was projecting himself as Askshay Palra. Learned State counsel also stated that complainant had recorded the conversation between him and the caller, which was sent to FSL and that as per the FSL report, the voice in the recorded version is the probable voice of the petitioner.

7. Heard.

8. Learned counsel for the petitioner contends that the report of the FSL is not conclusive, so as to reach to any conclusion as to whether it is the

petitioner, who is giving threat calls to the petitioner by telling his name as Akshay Palra or not. Besides, learned State counsel concedes the fact that apart from the FSL report, there is no other connecting evidence against the petitioner as even the mobile phone was recovered from co-accused and not from the petitioner.

9. Apart from above, custody certificate reveals that the petitioner is in custody for the last 09 months and 04 days and he has no other criminal case pending against him.

10. Having regard to all the aforesaid facts and circumstances, but without commenting anything on the merits of the case, petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

April 29, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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