

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

224

2024:PHHC:003755

CRM-M-63857-2023

Date of decision: January 10th, 2024

Parmod Kumar alias Mintu Kandhari

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kamal Narula, Advocate
for the petitioner.

Mr. A.P.S. Tung, Deputy Advocate General, Punjab.

Mr. Rakesh Kumar, Advocate
for the complainant.

MANJARI NEHRU KAUL, J.

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in case FIR No.265 dated 30.11.2023 registered under Section 384 of the IPC registered at Police Station Guru Har Sahai District Ferozepur.

2. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the case in hand on the basis of totally fabricated allegations. It has been submitted that in fact, there was a money dispute between the petitioner and the complainant in which regard, Panchayat was convened on a number of occasions, however, during one such Panchayat, there was a verbal altercation between the parties; feeling offended, the complainant had gone ahead by fabricating a false story and planting the case in hand upon the petitioner. He submits that nothing is required to be recovered from the petitioner and he be thus, extended the concession of anticipatory bail.

3. On being put to notice on the last date of hearing, the learned State counsel along with counsel for the complainant have put in appearance and vehemently opposed the prayer made by the petitioner. It has been submitted that the petitioner along with co-accused had lured the complainant to come to their house on 28.11.2023. When he went to co-accused Sundari, there were some unidentified persons present there, who too entered the house along with a camera and extended grave threats to the complainant and started preparing his video. On being asked not to do so by the complainant, he was threatened and blackmailed that in case he wanted to save his reputation, he would have to shell out ₹50,000/-; thereafter, ₹20,000/-, which the complainant was carrying with him at that time, was snatched by the co-accused and the complainant was also threatened that in case the remaining ₹30,000/- was not given to them, they would make his video viral.

4. Learned counsel for the State has submitted that the custodial interrogation of the petitioner would be required as he had actively participated and had also prepared a video of the complainant, the recovery of the video allegedly prepared by the co-accused was required to be effected.

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

6. There are serious allegations against the petitioner of having honey trapped the complainant into coming to the house of co-accused Sundari, where he was then blackmailed by the petitioner as well as the co-accused, who prepared his video and thereafter, he was threatened with dire consequences in case he did not part with a huge

some of money. In the wake of the allegations levelled against the petitioner, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

7. The instant petition, therefore, 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.

January 10th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No