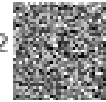


2025:PHHC:015072



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6121-2025
DECIDED ON: 03.02.2025

KARAMJIT SINGH DHALIWAL

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Gagandeep Singh Gill, Advocate for
Mr. P.S. Sekhon, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.421, dated 13.12.2024, under Sections 308(2), 3(5) of BNS, 2023, registered at Police Station City Kharar, District SAS Nagar Mohali.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Copy of statement, statement of Daya Singh Sandhu S/o Kirpal Singh resident of village Bharal P.S Sandaur, District Malerkotla, now resident of House no. 241, Green tower, Desumajra, P.S City Kharar, District SAS Nagar, aged about 62 years, Mobile no. 82270-19841, it is stated that I am mentioned above address that I along with my friend namely Kuldeep Singh S/o Kirpal Singh resident of House no. 12A, 03 Aster C Florence Park, New Chandigarh, District Mohali are working as a partners in the sale-purchase of property. I was observing for many days that my friend Kuldeep Singh was

mentally upset due to some matter. Today, I came to know when my friend Kuldeep Singh called me from USA and told that "one of his known namely Raghwant Singh @ Lalli resident of village Talwandi, District Batala now resident of house no. 915, Ground floor, Gilco Heights, District Mohali in connivance with his fellow persons have implicated him in their trap and in the month of September they had also taken Rs. 1,00,000 from me forcibly by blackmailing me and now they are demanding Rs. 5 lacs more by blackmailing me and threatening me. I came to know that one Raghwant Singh Lalli, Balraj Singh, Rajwinder Kaur, Jatinder Kaur, Rekha, Karamjit Singh and one Jassi who portrayed himself as the husband of Rekha and the other one who portrayed himself as the father in law of Rekha have formed a gang. Firstly, Raghwant Singh in order to implicate me in his trap gave me one mobile no. 98729-44266 of Jatinder Kaur from his fake Facebook ID created on the name of Komal Sharma. We became friends and she in order to meet me called me at the House no. 6108, Sunny Enclave Kharar of one Rajwinder Kaur on dated 19.09.2024. where Balraj Singh, Rajwinder Kaur, Jatinder Kaur, Rekha, Karamjit Singh and Jassi in connivance each other put off my entire clothes by threatening me and took my photographs in their respective mobile phones and they told me that gave Rs. 5 lacs in lieu of this otherwise we will viral these photographs on social media. I gave Rs. 1 lac to Rajwinder Kaur on the same day due to fear and told that I have no more money to give. Thereafter Raghwant Singh along with his fellow persons were continuously blackmailing me by calling on my mobile phone and by messaging me through Whatsapp from different mobile numbers that if you failed to give Rs. 5 lacs then we will viral your nude photos on internet". My friend Kuldeep Singh told that today also they are demanding Rs. 5 lacs from him. At present I have come to USA. I have also given one complaint to SSP Mohali regarding the same and inquiry of which is being conducted at CIA Staff, District Mohali. Raghwant Singh and his fellow persons are repeatedly blackmailing me that you give them Rs. 1 lac. On which at the instance of my friend said Kuldeep Singh I have given them Rs. 1 lac a few moment ago. Regarding which I was going to PS for informing you. Your have met me at near Christian School near the turn of PS City Kharar. I have got recorded my statement to you, read it and heard it as correct. SD/ Daya Singh attested Sd/-Harbhej Singh SI CIA Staff, District SAS Nagar dated 13.12.2024"

3. Contention

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and no specific role has been attributed to him. He further submits that petitioner had neither demanded any amount from the complainant and from his partner namely Kuldeep Singh Virk nor he had ever blackmailed Kuldeep Singh Virk to extort money. He asserts that similar situated co-accused namely Jatinder Kaur, Rekha Rani, Raghuwant Singh, Balraj Singh and Rajwinder Kaur have already been granted the concession of bail by the trial Court.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jaspal Singh Guru, AAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that extorted money and the phone which was used for clicking objectionable pictures of the complainant is yet to be recovered.

4. Analysis

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that no incriminating material has been put forth by the prosecution to connect the petitioner with the alleged commissioning of offence and the petitioner is not involved in any other case, meaning thereby he is a person of clean antecedents added with the fact that co-accused persons have already been granted the concession of bail by the trial Court, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is

ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Decision**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

03.02.2025

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>