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

**CRM-M-14078-2024 (O&M)
Date of Decision: 01.04.2025**

Manjeet @ Amit

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. M.N. Jajoria, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

Mr. Kapil Kumar Khattar, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.444 dated 05.06.2023, under Sections 328, 384, 376, 376(2)(n), 406, 506, 341, 34 IPC, registered at Police Station Barwala, District Hisar.

2. Learned counsel for the petitioner submitted that the petitioner is in custody for 1 year 6 months and 27 days and the charges in the present case were framed on 13.12.2024 but till date only one prosecution witness has been examined and the complainant is yet to be examined. He further submitted that even as per the FIR, the main allegation is against one Vikas and so far as the allegations against the petitioner are concerned, they were neither pertaining to rape nor demanding of money nor any amount was deposited in the name of the petitioner and he has been wrongly implicated in the present case. He submitted that considering the aforesaid facts and circumstances of the case, the petitioner may be considered for grant of regular bail.



4. On the other hand, Mr. Vishal Kashyap, learned DAG, Haryana has opposed the grant of regular bail to the petitioner on the ground that the petitioner was one of the main accused in the present case whereby he along with the main accused, namely, Vikas extorted money of ₹17 lacs, regarding which, even during investigation various audio recordings and WhatsApp conversation were found and the petitioner was directly involved in the present case and in this way approximately an amount of ₹17 lacs was transferred by the complainant in the account of the other co-accused, namely, Vikas and the direct allegations have been levelled against the petitioner as well pertaining to the fact that he along with the aforesaid co-accused had committed the offence. He further submitted that the complainant is yet to be examined and there is an apprehension that in case the petitioner is released on regular bail, then he may not only influence the witnesses, who are material witnesses but may also abscond or flee from justice, therefore, the petitioner is not entitled for grant of regular bail.

5. Mr. Kapil Kumar Khatter, learned counsel for the complainant has also opposed the grant of regular bail to the petitioner on the ground that during the investigation, it was found that there were various audio recordings and WhatsApp conversation between the petitioner and the victim/complainant, which shows that he had been pressing upon her to transfer the aforesaid amount and had been blackmailing the victim/complainant.

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

7. The custody of the petitioner comes out to be 1 year 6 months and 27 days. As per the learned counsels for the parties, the charges were framed on 13.12.2024 but till date only one prosecution witness has been examined and the victim/complainant has not been examined yet. It is the case of learned



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counsel for the petitioner that no direct role has been attributed to the petitioner because even as per the FIR, the entire allegations are pertaining to the co-accused, namely, Vikas but on the other hand, it is the case of learned State Counsel that during the investigation it has been found that on the basis of the audio recording with the complainant and some WhatsApp conversation whereby it is very clear that the petitioner was directly instrumental in blackmailing the complainant/victim and ultimately getting ₹17 lacs transferred to the bank account of the co-accused, namely, Vikas.

8. After hearing the learned counsels for the parties and considering the aforesaid facts and circumstances of the case, the aforesaid factual position as so stated by learned State Counsel, the gravity of the offence and also the role of the petitioner, this Court is of the view that the petitioner does not deserve the concession of regular bail. Furthermore, the apprehension so expressed by learned State Counsel that in case the petitioner is released on regular bail, then there is a likelihood that he may influence the complainant and other witnesses as till date only one witness has been examined, also carries weight and cannot be ignored.

9. Consequently, finding no merit in the present petition, the same is hereby dismissed.

10. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

01.04.2025

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

1. Whether speaking/reasoned
2. Whether reportable:

Yes/No
Yes/No