

2025.PHHC.079128



204

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32283-2025
DECIDED ON: 04.07.2025

RAKSHIT SAPRU

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Jasjit Singh Rattu, DAG Punjab.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 of BNSS 2023 for grant of anticipatory bail to the petitioner in case FIR No. 109 dated 19.04.2025 under Sections 308 (5), 324(2), 62 of BNS, 2023, Police Station City Kapurthala.

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

“Stated that I am a resident of the above address and I am doing agriculture work and used to visit Philippines (Manila) in connection with private business. My father Sulakhan Singh is doing the work of finance in Manila. On 08 February 2025, I came to India from Manila. In my house, my mother, sister, wife and 06 year old daughter are residing with me. Yesterday on 16.04.2025, I received a phone call

on my WhatsApp number 9767639000 at 9.53 PM from mobile number +351965841667 but I did not receive the call. Yesterday on 18.04.2025, I received a call from the same number on WhatsApp again. The first call was at 6:44 PM, then at 7.24 PM and then at 8.28 PM. During this time, I had gone to market with my family and when I returned home at 9:00 PM with my family, there were three stones lying inside the gate. My house has got access from two sides. One is on the eastern side and second on the western side. On seeing the stones lying in the house, I checked the CCTV cameras of my house and saw that at about 8.10 PM two unknown youths with muffled faces came on a motorcycle and parked the motorcycle outside the gate on the eastern side and the person sitting on the pillion seat of the motorcycle started throwing stones inside the house. Today I was in the market and the time was 8:34 PM and I received a message from the same number, "Phone Chak Veer, ki goli ghalan tere wal." I also sent a message asked as to who was the person and he send a message to pick up the phone. Then he made a phone call, but I did not receive the phone. Today on 19.04.2025 at about 11:31 AM, I received a Whatsapp call from the same number +351965841667 and I attended the call, and this unknown person making call did not disclose his identity and started threatening me and demanded ransom of Rs 1 crore from me and when I told him that I do not have so much money, h said that your sister goes to Jalandhar to study and you go to pick up your daughter from MGN school at 02.00 PM. In case you go abroad without arranging the money, then your family would be eliminated at your back. He further said that after four hours he will call again and would tell me the place and as how to and in which manner and where I should send the money. In this regard, I talked to my neighbor Mr. Balwinder Singh, son of Karnail Singh, resident of H NO 359, Model Town, Kapurthala, who advised me to inform the police. On which I after taking Mr. Balwinder Singh alongwith me went to the police station to inform you that you have met me. I and my family members are having threats from unknown persons with regard to our life and

liberty. This unknown person is extending threats to eliminate me and my family and is demanding ransom of Rs. One crore. This unknown person who had pelted stones at my house, the whereabouts of these persons be searched and appropriate legal action be taken against them. I have got recorded my statement and have read over, which is correct. Sd/- Amandeep Singh above said. Sd/- Balwinder Singh. Attested Sd/- Gursharan Singh ASI Police Station City Kapurthala 19.04.2025.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case solely based on the supplementary statements of Mohit Kumar, Rakshit Kumar, and Shubham. It is further contended that the FIR has been lodged due to a prior grudge and enmity harbored by the Officer In-charge of Police Station Kapurthala. Counsel further undertakes on behalf of the petitioner that the petitioner is ready and willing to cooperate fully with the investigation and shall join the investigation as required.

On behalf of the State/complainant

Status report filed by way of an affidavit of Deep Karan Singh PPS, Deputy Superintendent of Police, Sub Division City Kapurthala, District Kapurthala, is taken on record.

Learned State counsel prays for dismissal of the present petition, stating that the allegation against the petitioner are serious in nature as he demanded extortion money to the tune of Rs.1 crore, therefore, his custodial interrogation is required.

4. **Analysis**

Be that as it may, after careful consideration of the submissions made hereinabove, particularly the fact that the State has failed to substantiate the

mobile number alleged to have been used for demanding Rs. 1 crore as extortion, the allegation appears to be prima facie false and untenable in the eyes of law, this Court is therefore of the considered view that there exists no valid or compelling reason to withhold bail from the present petitioner, who has demonstrated bona fide intentions and expressed willingness to join the investigation and cooperate fully. Granting bail will facilitate the smooth progress of the investigation and enable the Investigating Agency to submit the final report within the stipulated time.

5. **Relief:-**

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 subsection (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

04.07.2025

Meenu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No