



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M- 44993-2024
Date of decision:-25.04.2025

HARPREET SINGH ALIAS PREET ALIAS BILLA ALIAS
VIKRAMJEET SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. A.S.Manaise, Advocate for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

Learned State counsel has filed custody certificate dated 24.04.2025, the same is taken on record, copy thereof, has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in the following case(Annexure P-1):-

FIR No.	Dated	Sections	Police Station
153	30.09.2023	384, 120-B IPC	City Batala, Police District Batala, District Gurdaspur

3. Arguments heard.

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case on the basis of the fabricated evidence without there being any role of the petitioner in the alleged occurrence. He submits that the petitioner is in

custody since 28.10.2023 and was lodged in jail at the time of the alleged occurrence. He contends that the petitioner has been nominated in the instant case only on the ground that said extortionist who had called for ransom to the complainant had also called the petitioner on his mobile phone. He submits that the petitioner is HIV positive and in this regard he has referred to the order dated 10.07.2024 passed by Division Bench of this Court in CRM-14312-2024, CRM-17492-2024 in CRA-D-1095-2023. He submits that considering the serious illness of the petitioner and also the fact that no plausible evidence is there connecting the petitioner with the crime, in the case triable by the Court of Magistrate, hence, prays for grant of regular bail to the petitioner.

5. *Per contra*, learned State counsel referring to the reply submitted by the State has assailed these arguments and prayed for dismissal of the bail petition considering the serious nature and gravity of the offence.

6. After considering the rival contentions and perusing the record, it transpires that on the basis of the complaint moved by the complainant having received ransom call on his mobile phone wherein the caller introduced himself as Harry Chatha, raising demand of ₹50 lac as ransom failing which be ready to face consequences, the instant FIR was registered. During course of investigation, the said calling number used by the extortionist was found to have been used for calling another mobile number registered on the name of one Deepak Sharma who had joined in investigation and on the basis of his statement, it was found that the said SIM card was used by the petitioner while being lodged in jail wherein the

call was made by the aforesaid caller, on the basis thereof, the present petitioner was nominated as accused on 23.10.2023 and formally arrested on 28.10.2023. After completion of investigation, challan has already been presented in Court, where it is pending trial. As stated above, the only evidence against the petitioner connecting him with the crime is that the said extortionist had called from the same number to the mobile allegedly used by the petitioner also and on that basis the prosecution has come up with the version that the petitioner is in conspiracy with the extortionist. The conclusion of trial, to ascertain criminal liability, if any, of the petitioner will take sufficient long time, in the case triable by the Court of Magistrate, no purpose would be served by detaining the petitioner any longer in custody.

7. In these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending application(s) if any shall also stand disposed of.

(SANJIV BERRY)
JUDGE

25.04.2025

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No