

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

245

CRM-M-46412-2024 (O&M)
Date of Decision:- 31.01.2025

ABHI SETHI
....Petitioner(s)
Versus
STATE OF PUNJAB
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

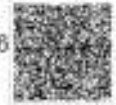
Present:- Mr. Vishal Mittal, Advocate for the petitioner.
Mr. Jatinder Pal Singh, Sr. DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
110	01.07.2024	387 and 506 IPC; (201 IPC added later on)	Civil Line, Police Commissionerate Amritsar

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner runs an e-rickshaw and is not involved in any other criminal case. He further contends that no specific overt act is attributed to the petitioner, and as per the allegations, the petitioner had provided SIM card to the co-accused Gurkirat Singh. He submits that the

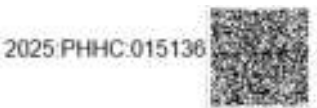


petitioner is in custody since 01.07.2024 and challan has already been presented in the Court, which is pending trial in the Court of Magistrate. He thus prayed for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has assailed the arguments advanced by learned counsel for the petitioner by submitting that the petitioner had actively participated in the crime and as such, he does not deserve the concession of bail. He has, however, admitted that as per the allegations, it is the case of prosecution that the petitioner had procured the SIM card and gave it to the co- accused Gurkirat Singh.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that the instant case was registered on the statement of the complainant alleging to have received a threat call and also a ransom call demanding ₹20,00,000 on his mobile phone, on the basis of which, the instant FIR has been registered. The petitioner was arrested on 01.07.2024. Admittedly, no amount was paid on the basis of that threat call. The petitioner is not having any criminal antecedents and after the completion of investigation, challan has been presented in Court, where it is pending trial, wherein, the prosecution has cited 10 witnesses but none has been examined till date. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.



6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate 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.
7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.
8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

31.01.2025
S.Sharma(syr)

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