

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-54422-2024 (O&M)
Date of Decision:- 17.01.2025

RAHUL

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Ajay Kadyan, Advocate for the petitioner.
Mr. Surender Singh, A.A.G. Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
217	24.05.2023	384, 387, 506, 120-B IPC; 25(6) of the Arms Act	Tehsil Camp, District Panipat

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 submits that no specific overt act is attributed to the petitioner and he is in custody since 28.05.2023. He contends that as per the allegations, the only role attributed to the petitioner is that he had provided a SIM card to co-



accused Sunny @ Sunny Singh, which was issued on the name of one Dharamshil. He further submits that the co-accused Sunny @ Sunny Singh has been already granted the concession of bail by this Court vide order dated 28.05.2024 passed in CRM-M-13627-2024. Hence prayed for grant of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition on the ground that the petitioner along with co-accused had actively participated in sending threat video messages to the complainant with a view to extort money by putting him under fear and as such, the petitioner does not deserve the concession of bail as the alleged phone used for sending the videos was recovered from the petitioner.

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 FIR was registered on the complaint of Yogesh Kumar to the effect that on 19.05.2023, an unknown person came at his shop and enquired about the complainant from his brother and also threatened that he would settle score with him. On 22.05.2023, the complainant received four video messages and one text message threatening him of dire consequences if their extortion demand is not met. The matter was reported to the police and subsequently the petitioner was arrested on 28.05.2023. After the completion of investigation, challan has already been presented in Court and the case is pending trial. The only role attributed to the petitioner is that he had provided a SIM card to co- accused Sunny @ Sunny Singh,



which was registered in the name of one Dharamshil. The said co-accused Sunny @ Sunny Singh has already been granted the concession of bail by this Court. As per the status report, charges have not yet been framed in the case and the conclusion of trial to ascertain the criminal liability, if any, of the petitioner, will 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

17.01.2025

S.Sharma(syr)

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