

**IN THE COURT OF SH.B.B.S.TEJI,
SESSIONS JUDGE, BARNALA.
(U.I.D.No.PB0084)**

CNR No.PBBR01-002920-2024
CIS No.BA/1000/2024
Date of Order : 31.07.2024

1.Vishaldeep Sharma @ Vicky son of Jatinder Kumar resident of Greet Colony, Raikot, Tehsil Raikot, District Ludhiana.

2.Paramjit Singh @ Happy son of Amar Singh, resident of near Megha Feed Factory, Gondowal, Tehsil Raikot, District Ludhiana.

...Applicants/accused

Versus

State of Punjab

Application for bail U/s.439 of Code of Criminal Procedure

FIR No.305 dated 21.06.2024

Police Station : City Barnala.

Under Sections : 384,387,506,120-B of IPC.

Present: Sh.D.S. Johal Advocate counsel for applicants/accused.
Mrs.Sukhraj Kaur Addl.Public Prosecutor for State.

ORDER

1. This application for regular bail U/s.439 of CrPC is moved, in above noted FIR on behalf of the applicants.

2. Heard, learned counsel for the applicants and Ld.Public Prosecutor for State and record perused.

3. As per case of prosecution, present FIR was registered on the statement of Kamal Jindal on the allegations that on 14.06.2024 at about 5.28 am, he has received threat call on his whatapp no.98728-49074 from

mobile no.+1(437)774-2920 and thereafter at about 6.04 am, he again received call from the same mobile number whereby person speaking on mobile number demanded Rs.80 lakh and further threatened to kill him. That thereafter on 17.06.2024 at about 8.20 am, he again received whatapp call from the same mobile number and unknown persons told to keep ready Rs.80 lakh failing which there shall be danger to the life of his family members. On 18.06.2024, he received message that they are sending the account number to deposit the amount, otherwise they will kill him. That then on 20.06.2024 at about 5.25 am, he again received phone call and person calling on mobile phone started abusing him and further threatened to make arrangement of Rs.80 lakh, failing which they will kill him and his family members. That he has also recorded the conversation of threatening calls. That due to fear, he has not disclosed the incident to anyone. On this statement, present FIR was registered against unknown persons. During investigation of the FIR, present applicants were named as accused.

4. Learned counsel for applicants has contended that the applicants have been falsely implicated in the present FIR. It has been contended that initially there was demand of Rs.80 lakh on 14.06.2024 and that thereafter on 17.06.2024 another call was received and that thereafter another call was received on 20.06.2024. That applicants do not have any previous criminal antecedents. That applicants are running the business of money transfer agency. That during investigation, there is no material on

record to connect the applicants with the alleged offences. That it is highly improbable that complainant had gone alone to deliver the huge cash amount and no witness accompanied him when the accused were arrested. That applicants are in custody since 25.06.2024 and no more required by the police for further investigation.

5. On the other hand, learned Addl.Public Prosecutor has contended that the allegations are serious in nature. That initially call was received from abroad and thereafter demand of Rs.80 lakh was made and thereafter finally it was settled for Rs.50 lakh. That in the mean time, complainant had informed the police and that applicants were arrested at the spot. That possibility of tampering with the evidence can not be ruled out.

6. After considering the above, the applicants were arrested at the spot and nothing has been brought forth by the applicants as to why the complainant will falsely implicate the present applicants. Keeping in view the nature of allegations against the applicants, no ground is made out for relief of bail U/s.439 CrPC to applicants at this stage as possibility of tampering with the evidence can not be ruled out. Accordingly, instant application for regular bail is hereby dismissed. Bail papers be consigned to record room.

Announced.
Dated:31.07.2024
J.Sharma/JW-I

(B.B.S.Teji)
Sessions Judge, Barnala
(PB0084)