

Reg No. 1895 of 2021.

CNR No. PBSG010061042021

Present: Shri Gagandeep Bhagria, Advocate counsel for applicant/
accused.
Shri Navdeep Goyal, Additional Public Prosecutor for State.

ORDER:

1. File put up before me during summer vacation being Vacation Judge. Arguments on pre-arrest bail application filed by applicant/accused Hardev Singh under Section 438 Cr.P.C, for releasing him on bail in this case bearing FIR No. 78 dated 20.05.2021 under Section 420,120-B,186,384,506,511 IPC, Police Station City Sangrur, heard. Police record produced and perused.

2. Learned counsel for the applicant/accused has argued that applicant/accused has been falsely implicated in this case as he has already filed a complaint against the complainant and the officials of the office of complainant due to various anomalies in the work and conduct of the office of complainant Secretary RTA, Sangrur on 06.02.2020. No offence under Sections 420,186 and 384 IPC is made out against the applicant/accused. He has neither cheated the complainant or any other official of the office of complainant nor he has extort any amount from them. Co-accused Ravi Jindal has already been released on anticipatory bail by the Hon'ble Punjab & Haryana High Court vide order dated 07.06.2021. Nothing is required to be recovered from the possession of applicant/accused. Applicant/accused is ready to join the investigation.

Therefore, he may kindly be released on anticipatory bail.

3. On the other hand learned Additional Public Prosecutor has vehemently argued that applicant/accused being press reporter gave threat to complainant and the officials of the office of complainant, who is working as Secretary RTA office Sangrur, in connivance with his co-accused Ravi Jindal that he would make false complaint against them in case they did not pay monthly of Rs.50,000/- to him. It is further submitted by him that applicant/accused has uploaded false matter against the officials of RTA office Sangrur on the face book ID in the name of HS Shammi in order to tarnish the image of the office of complainant as the complainant has already got registered a criminal case bearing FIR No. 307 dated 19.12.2018 against Shri Desh Mukh Goyal and others under Sections 420,465,467,468,471 and 120-B IPC for registration of vehicles on the basis of fake and forged papers/documents. He has also submitted that Shri Desh Mukh Goyal and others are accomplice of Ravi Jindal and applicant/accused. The custodial interrogation of applicant/accused is required for proper investigation of this case. Therefore, it is prayed that anticipatory bail application moved by applicant/accused may kindly be dismissed.

4. Instant case was registered on the application moved by complainant Karanbir Singh Chhinna, Secretary Regional Transport Authority, Sangrur to Inspector General of Police, Patiala Range, Patiala

after getting the matter inquired through Superintendent of Police (Investigation). As per allegations of the prosecution, complainant Karanbir Singh Chhinna, Secretary RTA Sangrur had got registered a criminal case bearing FIR No. 307 dated 19.12.018 against Desh Mukh Goyal and others under Sections 420,465,467,468,471,120-B IPC for registration of vehicles on the basis of fake and forged document and since then the applicant/accused and his co-accused Ravi Jindal had started making false complaints qua prevailing of rampant corruption in the office of complainant and in this regard they had also uploaded wrong messages on the social media to tarnish the image of complainant. It is also alleged that complainant had also made complaints against applicant/accused and others before SSP, Sangrur, DC Sangrur and STC Punjab on account of which they turned inimical towards him. And they started threat to the officials of the office of complainant regarding filing of false complaint against them and their office in case they do not give ₹50,000/- per month to him. The applicant/accused is a press reporter and as such, demanding of ₹50,000/- per month by him from the officials of the office of complainant by giving threat of implicating them in false cases by moving complaints against them amounts to interference in the work and conduct of the office of RTA, Sangrur and the above said allegations against the applicant/accused being serious in nature requires thorough investigation. Relief of anticipatory bail is an extra ordinary

Hardev Singh Vs. State of Punjab

Page no.4

relief and it can only be granted in exceptional cases if special grounds are made out as held by Hon'ble Supreme Court of India in Adri Dharan Das Vs. State of West Bengal 2005 (2) R.C.R (Criminal) page 32 (SC), and Hon'ble Punjab and Haryana High Court in Vishwanath Vs. State of Punjab 1998 (4) R.C.R (Criminal) page 624 (P&H) and R.K Ranga Vs. State of Haryana 1997 (2) R.C.R (Criminal) page 611 (P&H).

5. Therefore, keeping in view the above said facts and circumstances of the case as well as gravity of the offence, I do not find any justification to grant the extra ordinary relief of pre-arrest bail to applicant/accused as the custodial interrogation of applicant/accused is required for proper investigation of the case. As such, pre-arrest bail application moved by applicant/accused is dismissed. Police record be returned. File of this bail application be consigned to record room.

Announced

Dated:-22.06.2021.

(Sham Lal),
Vacation Judge-cum-
Additional Sessions Judge,
Sangrur.
UID Number : PB0123

shama stenographer I