

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-22553 of 2015
DECIDED ON : JULY 20, 2015

Priya and another

...Petitioners

versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Keshav Pratap Singh, Advocate
for the petitioners.

Mr. D.R. Singla, DAG, Haryana
for respondent-State.

JASPAL SINGH, J. (ORAL)

Mr. Karan Singh, Advocate has put in appearance and filed power of attorney on behalf of the complainant, same is taken on record.

This is a petition under Section 439 of Code of Criminal Procedure by Priya and Ruby-petitioners (now confined in District Jail, Rohtak) seeking bail in case FIR No.286 dated 09.06.2015, under Sections 384, 389, 120-B of IPC registered at Police Station Civil Lines, Rohtak.

It has been contended by learned counsel for the petitioners that instant FIR is nothing but counter-blast to the FIR registered by petitioner namely Priya bearing FIR No.212 dated 07.05.2015 at Police Station Civil Lines, Rohtak under Section 376 of the Indian Penal Code.

However, learned State counsel has submitted that FIR no.212 dated 07.05.2015 has already been recommended for cancellation and the

allegation unfolded therein were found to be false.

It has also been urged by the learned State counsel that petitioners are members of the gang which is indulging in committing extortion by lodging false cases especially under Section 376 IPC by black-mailing the innocent persons..

Be that it may, there are allegations and counter allegations against the parties. Petitioners were arrested in this case on May 11, 2015 and were subjected to custodial interrogation. Since the date of their arrest, they are suffering incarceration. Investigation is still going on and challan has not so far been presented. Even the presentation of challan and its disposal is likely to take sufficient long time. Petitioners are also not involved in any case of such nature.

Taking into consideration the aforesaid aspects of the case, this Court deem it a fit case to grant concession of bail to the petitioners. Accordingly, petition is allowed and petitioners are ordered to be released on bail on their furnishing bail bonds and surety bonds at the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

JULY 20, 2015
m. sharma

(JASPAL SINGH)
JUDGE