

CRM-M No.29438 of 2020 (O&M)
Date of Decision : 30.09.2020

Sudesh alias Darshana

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGHPresent : Mr. Chand Ram Olla, Advocate
for the petitioner.

Mr. B.S. Virk, DAG, Haryana.

FATEH DEEP SINGH, J (ORAL)

The petitioner-Sudesh alias Darshana has sought first regular bail under Section 439 Cr.P.C in case FIR No.182, dated 24.04.2020, under Section 386, 389, 120-B IPC, 1860 registered at Police Station Azad Nagar, District Hisar, Haryana.

The brief allegations are that the present case was registered on the complaint of one Vinod Saini, a police official. In his complaint, the complainant states that he received a mobile call from unknown number and after talking to the lady on the phone, they became pally. After sometime, same lady made a mobile phone call to the complainant seeking help for arranging a gas cylinder and as a consequence of which on 23rd April, 2020, the complainant went to her house. While the complainant was sitting, another women with two men came and assaulted the complainant

and demanded Rs.4 lakhs threatening him to implicate in a false case and a settlement was made for a sum of Rs.1,80,000/-. The complainant, at that time was in a position to pay only Rs.20,000/-, and, thereafter, the present case was got registered.

Learned counsel for the petitioner *inter alia* contends that the co-accused Suman @ Meera has already been allowed bail by this Court vide order dated 13th August, 2020 and that the petitioner is behind the bars for the last more than five months and that recovery has already been effected from her.

Learned State counsel does not displace the said fact but has strongly opposed the bail on the grounds of seriousness of offence.

The petitioner is behind the bars. Being a lady and in view of the prevalent pandemic Covid-19 and the circumstances detailed hereinabove, there is every likelihood that the trial is not likely to be concluded in the near future, no useful purpose would be served by keeping the petitioner in custody. Moreover, culpability if any, would be determined at the trial. Accordingly, the instant petition for regular bail is allowed. The petitioner-Sudesh alias Darshana is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition stands disposed off accordingly.

The observations made hereinabove shall have no bearing on the merits of the case as these are purely for the disposal of the present bail application.

(FATEH DEEP SINGH)
JUDGE

30.09.2020
Manpreet

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No