

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-17892-2021 (O&M)

Date of decision: 30.07.2021

Sunil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sandeep Lather, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.616 dated 16.10.2019 registered under Sections 120-B, 384, 389 IPC at Police Station Jind City, District Jind.

Learned counsel for the petitioner submits that the FIR was registered on the complaint of one Ram Niwas with the allegations that he is a married person and is serving in Railway at Jind. It is further stated that in the month of December and March, he has given a sum of Rs. 1 Lakh in cash and one LCD, amounting to Rs. 30,000/-, to co-accused Komal, who is the wife of the present petitioner, for opening a beauty parlor. At that time, she was residing in his government quarter along with her family. However, in the month of March, she left the said quarter and started residing in the

Railway Line Quarter. When the complainant demanded his money back from the husband of Komal (the present petitioner), on 24.05.2019, the complainant was asked to come to the house of co-accused Komal, where she, on her own free will, developed physical relation with the complainant and thereafter, she demanded Rs. 1,50,000/- from complainant and threatenend that if he would not pay the said amount, he will be implicated in a rape case. It is further stated that complainant arranged the said amount and gave the same to Komal due to fear.

Learned counsel for the petitioner further submits that in pursuance to inquiry conducted by the SIT, the challan stands presented; the petitioner is not involved in any othe case; he is in judicial custody for the last 07 months and 11 days and the case is now fixed for framing of charge.

Learned counsel for the petitioner further submits that two of the co-accused, namely Deepak @ Deepa and Komal, are already on anticipatory bail, granted by this Court.

Learned State counsel has filed the custody certificate and has not disputed the factual position. As per custody certificate, the petitioner is in judicial custody for the last 07 months and 11 days and he is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that co-accused of the petitioner, including his wife, are already on anticipatory bail; petitioner is not involved in any other case; he is in judicial custody for the last more than 07 months and conclusion of trial is likely to take some time as even charges are not yet framed, the instant

petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

30.07.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No