

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9953-2022
Reserved on: 14.03.2022
Pronounced on: 20.04.2022

Pinkesh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Anju Sharma, Advocate,
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
467	29.09.2021	Sadar Thanesar, Kurukshetra	397, 392, 379-B IPC

1. The petitioner, a girl aged 27 years, in custody since 5 Oct 2021 upon his arrest in the FIR captioned above, came up before this Court under Section 439 of Code of Criminal Procedure, 1973 (Cr. P.C.) seeking bail.
2. In paragraph 12 of the petition, it is declared that the accused has no criminal history.
3. Ld. Counsel for the petitioner contends that the complainant stands examined and he did not attribute any role to the petitioner, and the pre-trial incarceration would cause an irreversible injustice to the petitioner and family. Ld. counsel further argued that co-accused stands released on bail, and even the petitioner is entitled the similar relief on parity.
4. The contention on behalf of the State is that recovery is yet to take place, and bail encourages criminals.

REASONING:

5. The accused Harpreet was granted bail by the trial court because the complainant did not name him or identify him during the recording of his statement. Whereas, it is not so regarding the petitioner. Any further discussions might prejudice the case of the

petitioner. The argument that the petitioner is in custody for four months is also not convincing given the penal provisions involved in the case. Given the serious nature of allegations and an analysis of the allegations and evidence collected does not warrant the grant of bail to the petitioner.

6. In the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner fails to make a case for bail at this stage. Liberty reserved to file fresh in the changed circumstances.

7. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

Petition dismissed in aforesaid terms. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

20.04.2022
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.