

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

1. CRM-M-53254-2021 (O&M)

Mandeep

...Petitioner

Versus

State of Haryana

...Respondent

2. CRM-M-10376-2022 (O&M)

Sushila

...Petitioner

Versus

State of Haryana

...Respondent

Date of decision: 12.05.2022

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Shubham Kaushik, Advocate
for the petitioner in CRM-M-53254-2021.

Mr. Sanchit Punia, Advocate
for the petitioner in CRM-M-10376-2022.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

These petitions have been filed under Section 439 of the Code
of Criminal Procedure for grant of regular bail to petitioners Mandeep and
Sushila in case FIR No. 608 dated 24.09.2021, registered under Sections

147, 149, 323, 328, 342, 365, 379-A, 384 and 389 of the IPC at Police Station Azad Nagar, District Hisar.

Learned counsel for the petitioners submit that as per allegations in the FIR, registered at the instance of complainant Dilbag Singh, it is stated that he is an agriculturist and he planned to start a private company and for this employees/workers were required. On 30.08.2021, he received a missed call on his mobile from mobile No 74046-44201 and when he made a call back to the said number, there was a lady, who told her name as Sushila. She also disclosed that she does the stitching work but she requires an office job. After 3-4 days, the complainant received a whatsapp message in the name of "MA" from said Sushila and she further made a whatsapp call and said to collect her resume from a place near Aadhar Hospital, Hisar. On 09.09.2021, the complainant came to Hisar due to some work in his Creta vehicle bearing No. HR-80A-7193 and went towards Aadhar Hospital, Hisar. He made a call on the aforesaid number of Sushila and thereafter she came at the disclosed place and took him to her house. At that time none was present in the house. She offered water to him. After drinking the water, he became semi-conscious. After that Sushila made him consume liquor, due to which, the complainant became unconscious and he did not know what happened with him. Thereafter, 5-6 boys came in the room and started beating him and took him in the fields in his Creta vehicle and snatched the keys of vehicle, money and gave beatings to him continuously for 20 hours. After that, they snatched his Creta vehicle and handed over to him a Swift bearing No. HR-30P-6009. The accused persons started blackmailing the complainant for giving Rs.25,00,000/- otherwise, they will viral his nude video and will get registered a case under Section

376 IPC. The accused persons, by blackmailing the complainant, have obtained two cheques of Rs.5,00,000/- each from him and got prepared an agreement from Hisar courts. Now, they are demanding more money by making call from mobile No. 9992426555.

Learned counsel, appearing for petitioner Mandeep, submits that during investigation, accused Sumit was arrested and on his disclosure, petitioner Mandeep was nominated and got recovered Creta vehicle and some money. Thereafter, petitioner Sushila was also arrested and she got recovered two mobile phones and two cheques of Rs. 5 Lakh each.

It is further submitted that both the petitioners are the first offenders; they are in judicial custody for the last more than 07 months; investigation is complete; charges have been framed and the case is now fixed for prosecution evidence and even one prosecution witness has been examined.

It is further submitted that three of the co-accused, namely Virender, Surender and Sumit, have already been granted the concession of regular bail by the Additional Sessions Judge, Hisar, as per orders attached with the petition.

Learned State counsel has filed the custody certificates and could not dispute that the petitioners are the first offenders and they are in judicial custody for the last more than 07 months.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that the petitioners are in judicial custody for the last more than 07 months; they are the first offenders; three of the co-accused have already been granted the concession of regular bail by the Additional Sessions

Judge, Hisar as noticed above and also in view of the fact that conclusion of trial is likely to take some time, the instant petitions are allowed. Petitioners Mandeep and Sushila are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate concerned.

A photocopy of this order be placed on the file of other connected case.

12.05.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No