IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

223 **CRM-M-25296-2022(O&M)**
Date of Decision : **August 31, 2022**

ANJANI PANDEY

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Ms. Ramandeep Kaur, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

JASGURPREET SINGH PURI. J. (Oral)

The present is a third petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 9 dated 7.9.2021 under Sections 406, 420, 467, 468, 471, 120-B, 201 IPC, registered at Police Station Cyber Crime, Hisar.

It has been submitted by the learned counsel for the petitioner that the custody of the petitioner is almost one year and the investigation of the case has been completed but no witness has been examined till date. She further submitted that the petitioner is a lady of the age of 36 years and the allegations in the present case are that she had duped some persons by taking money on telephone and the subject matter of the present case is only Rs.42,000/-. She submitted that considering the custody of the petitioner where she has faced incarceration for about one year, she may be considered for the grant of regular bail especially when the petitioner is not involved in any other case. She further submitted that the four other co-accused have been granted bail by this Court vide Annexure P-3.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody for almost one year and the investigation of the case has been completed and the subject matter of

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the present dispute is only Rs.42,000/-. He has also submitted that it is correct that the petitioner is not involved in any other case. However, he has opposed the grant of bail to the petitioner on the ground that it is a case where the money was transferred in the account of the petitioner and not in the names of the other co-accused, who have been granted bail and, therefore, the petitioner is not at parity with the other co-accused.

I have heard the learned counsels for the parties.

The petitioner is a lady of the age of 36 years and has faced incarceration for about one year. The investigation of the case has already been completed although no witness has been examined till date. The other four co-accused have been granted bail by this Court vide Annexure P-3 but the petitioner is not at parity with the other co-accused. However, the present bail application although is a successive bail application but it deserves to succeed on the ground that the petitioner has already faced incarceration for one year and the subject matter of the present case is only Rs.42,000/- coupled with the fact that the petitioner is a lady. Apart from the same, it is not disputed that the petitioner is not involved in any other case. The trial of the case may take long time.

Therefore, considering the totality of the circumstances of the present case, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

August 31, 2022 **(JASGURPREET SINGH PURI)**
ajay-1 **JUDGE**

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No

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