

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21288-2023
Date of Decision: 16.05.2023

KAVITA Petitioner

Versus

STATE OF HARYANA Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Mohit Bishnoi, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail pending trial in case FIR No.84 dated 10.03.2023 registered under Sections 384, 389, 34 of IPC 1860 and Sections 18, 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (added later on), P.S. Bhuna, District Fatehabad.

2. As per allegations levelled in FIR, the petitioner tried to black-mail the complainant for extracting money.

3. Learned counsel for petitioner submits that in the present case, investigation already stands concluded with the filing of challan followed by framing of charges. He further submits that the petitioner has already suffered incarceration for a period of more than 2 months and her custody is no more required by the respondent-State.

4. On the other hand, learned State counsel opposes the prayer made in the petition while submitting that the petitioner is involved in two more cases though not of similar nature.

5. I have heard learned counsel for parties and have gone through the paper-book. I find substance in the submissions made on behalf of petitioner.
6. Considering the fact that the petitioner has already suffered incarceration for a period of 2 months and the investigation stands completed with the filing of challan, as such custody of the petitioner is no more required by the Investigating Agency. As regards, 2 other cases pending against the petitioner, in one of the case, she has already been acquitted by the Court of learned Magistrate vide judgment dated 22.12.2022 and in the other case, she is already on bail, besides, the investigation already having been concluded followed by framing of charges, I do not deem it appropriate to extend the incarceration of petitioner.
7. Without commenting upon merits of present petition, the same is allowed. Petitioner is ordered to be released on bail subject to her furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

16.05.2023
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(**HARKESH MANUJA**)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/ No</i>
<i>Whether Reportable</i>	<i>Yes/ No</i>