

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

224

CRM-M-41168-2023 (O&M)

Date of decision: 25.08.2023

Nageena alias Nagma

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Mansur Ali, Advocate and
Mr. Vikas Sheel Verma, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.0417 dated 22.05.2023 under Sections 120-B, 328, 384, 388, 389 of the IPC registered at Police Station Camp Palwal, District Palwal.

2. Learned counsel for the petitioner, while drawing the attention of this Court to the allegations levelled in the FIR, inter alia contends that a highly improbable and fabricated version has been brought forth in the FIR in question which was registered at the instance of Hoshiar Singh who also happens to be a police official. Learned counsel submits that in fact it was a case of a love affair between the parties turning sour and it was precisely for that reason just to wreak vengeance on the petitioner, the complainant had got the FIR in question registered against her. He further submits that it was unbelievable that the complainant who was a police official would have

continued to part with different sums of money over a period of time; and also he would have gone to the extent of lending his car to the petitioner despite the fact that he was being blackmailed and threatened and still further would have been trapped into establishing physical relations with one co-accused Indra. Learned counsel submits that two of the co-accused namely Preeti and Hansraj, have since been extended the concession of bail by the Trial Court. Learned counsel submits that the petitioner has clean antecedents. Investigation is complete as not only challan stands presented but even the charges have been framed. Learned counsel submits that in the facts and circumstances, the trial is unlikely to conclude in the near future as 12 prosecution witnesses have been cited.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from SI Suresh, has reiterated the allegations which have been levelled against the petitioner in the FIR in question. Learned State counsel submits that it was evidently a case of honey trap and thereafter the complainant had been blackmailed into parting with varying sums of money. However, she has not disputed that investigation is complete, charges stand framed and the petitioner is not involved in any other criminal case much less a case of similar nature.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 12.05.2023. The trial would take considerable time to conclude as none of the 12 prosecution witnesses have been examined. In the facts and

circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

25.08.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No