

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.47369 of 2023
Date of decision: 2nd December, 2023

Rajeshwari @ Rajesh Lakra

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sanjeev Kodan, Advocate for the petitioner.

Ms. Trishanjali Sharma, Dy. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.0201 dated 18.04.2023 under Sections 120-B, 34, 384, 385, 388 of the IPC registered at Police Station City Bahadurgarh, District Jhajjar.

2. Learned counsel for the petitioner inter alia contends that in a case of Magisterial trial, the petitioner has now been in custody since 18.04.2023; investigation in the case in hand is complete as challan stands presented. It has further been asserted by learned counsel for the petitioner that most of the allegations are against the co-accused Madhu, from whom recovery of ₹ 3.50 lakhs was effected. He submits that the only allegation levelled against the petitioner was of having phoned up the complainant and pressurized him to settle the matter with the co-accused. Learned counsel submits that totally false allegations have been levelled against the petitioner and furthermore, pursuant to a Court order, voice samples had been taken after challan had been presented. Learned

counsel has therefore, prayed for extending the concession of bail to the petitioner, as her further incarceration would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Narender, has submitted that the petitioner along with all the co-accused had conspired and tried to blackmail the complainant into effecting a compromise. However, she has not been able to dispute that no money was alleged to have been paid to the petitioner or any recovery much less of money was made from her when she was arrested on 18.07.2023.

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

5. The petitioner has now been in custody since 18.04.2023 in a case of Magisterial trial. The trial is unlikely to conclude in the near future as 8 witnesses have been cited by the prosecution and charges have not yet been framed. The petitioner is not involved in any other criminal case, much less a case of similar nature. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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.

(MANJARI NEHRU KAUL)
JUDGE

December 2, 2023

rps

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