

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-8342-2024
Date of decision: 04.07.2024

ANJU @ SUMAN....PETITIONER(S)

Versus

STATE OF HARYANA....RESPONDENT(S)

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. D.S. Virk, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J.(ORAL)

By way of present petition filed under Section 439 Cr.P.C, the
petitioner seeks regular bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
299	05.07.2023	384, 389, 34 of IPC.	Agroha, Hisar, District Hisar..

2. Arguments heard.
3. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He is in custody since 27.09.2023. Challan has already been presented in Court and during the course of trial, the prosecution has examined the complainant Ramesh Kumar as PW1 who has not lent any support to the case of the prosecution. He has placed the copy of statement of the witness on file to support his version. He submits that although three more cases were registered against the petitioner but she had been acquitted in two cases whereas in the third case, she is on bail. He, as such, prayed for grant

**CRM-M-8342-2024****2**

of bail to the petitioner.

4. Mr. Azad Khan, Advocate has put in appearance on behalf of complainant and filed power of attorney, which is taken on record. He has admitted the factum of the statement given by him as PW1.

5. Learned State counsel has opposed the bail application by arguing that the petitioner has been kingpin of the honey trap racket and indulged in extorting money from various persons. He submitted that she is involved in three more cases of similar nature and prayed for dismissal of the petition.

6. After considering the rival contentions and perusing the record, it is not disputed that FIR (Annexure P-1) was registered against the petitioner and another co-accused wherein she was arrested on 27.09.2023. After completion of investigation, challan has since been presented in Court. As per the allegations in the FIR, the petitioner had been leading the racket whereby various persons were tapped in the honey trap and thereafter extortion were effected from them by black mailing. After presentation of challan, learned trial Court has framed the charges under Section 384, 389, 120-B of IPC and cited 17 witnesses. Till date, only one witness has been examined who has not lent any support to the case of the prosecution. In these circumstances, it is observed that no purpose would be served by further detaining the petitioner in custody in the case triable by the Court of Magistrate. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned



CRM-M-8342-2024

3

Trial Court/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

04.07.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |