

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-15234-2024 (O&M)
Date of Decision:- 03.04.2024

Anamika Rani Suman ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sanchit Punia, Advocate, for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
164	29.03.2021	HTM Hisar, District Hisar	406, 420, 120-B IPC

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The allegations, in nutshell are that the petitioner and her husband had cheated the complainant for an amount of Rs.30.40 lakhs.
3. Learned counsel for the petitioner submits that it is a case where the complainant as well as the petitioner’s husband had business transactions and that during the course of which the petitioner’s husband had issued 4 cheques favouring the complainant for a total of Rs.30.40 lakhs which were somehow dishonoured and in respect of which the complainant has also instituted complaint under Section 138 of Negotiable Instruments Act. Learned counsel submits that

since identically situated co-accused i.e. the husband of the petitioner namely Upender Kumar @ Manish had already been granted bail, the petitioner also deserves the same concession on the ground of parity.

4. Opposing the petition, learned State counsel has submitted that since there are specific and categorical allegations against the petitioner, her complicity is clearly evident. Learned State counsel however, informed that the petitioner as on date has been behind bars since the last 2 months and 14 days and that although challan has been presented and charges have been framed but no PW out of the cited 10 PWs has been examined till date. It has also been informed that the petitioner is not involved in any other case.
5. This Court has considered the rival submissions addressed before this Court.
6. Having regard to the fact that challan already stands presented and identically situated co-accused has already been granted bail, the petitioner who is a lady and has a clean record, certainly deserves the same concession on the ground of parity. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

03.04.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No