IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM-M-18561-2023(O&M)

Date of Decision:-20.08.2024

Neha Mohan.

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Vivek K. Thakur, Advocate for the Petitioner.

Mr. Parveen Aggarwal, Deputy Advocate General, Haryana.

Mr. Sankalp Gehlawat, Advocate for the Complainant.

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JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this second petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.38 dated 16.03.2022 under Sections 306, 34, 384, 389 IPC registered at Police Station GRP Faridabad, Police District GRPAmbala Cantt District Faridabad.

2. The present FIR came to be registered at the instance of Raghubir Singh which reads as under:-

> " *Sir In-charge Police Station GRP Ballabhgarh Subject-Complaint regarding legal action against Jeetu alias Jitender Dhankhar Resident of sector 2 Ballabgarh and Neha Sir I Raghubir Singh Son of Balwant Singh permanent resident of Vishnu Colony Gohana District Sonepat my son Naresh Kumar with his children was residing in Sector 2 Ballabhgarh Faridabad and was having a workshop of spare parts and was known of Jeetu Dhankhar Mob No. 8586860875 and Jeetu Dhankhar was doing the work of Finance Jeetu Dhankhar has a girl named Neha working in his office and Jeetu got my son aquainted with girl named Neha in his office and Neha*

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asked from my son his nude photos and my son showed himself nude in a video call to Neha from his mobile number 9350138337 to Neha on her mobile number 9910646138 and on the basis of that video call that girl Neha started blackmailing my son and my son to save himself from any dishonour gave Rs 3lakh by Cheque and 4 Lakh Rupees as cash to Jeetu Dhankhar and even after that Jeetu Dharkhar and Neha kept on blackmailing him for money and for that they kept on pressurising him because of which my son Naresh got a complaint registered in City Police Station Ballabhgarh against both on 15- 03-2022 and on 16-03-2022 my son after getting troubled from both Jitender Dhankhar and Neha has committed suicide after after jumping from Bye-pass Flyover Bridge and getting under train. Legal action be taken against those Jitender Dhankhad and Neha. SD Raghubir Singh."

3. The Counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The co-accused namely Jitender Dhankar @ Jeetu has been granted the concession of bail by this court vide order dated 27.01.2023 (Annexure P-4). As the petitioner was a lady, in custody since 29.04.2022 but only 02 of the 24 Pws have been examined so far, the Trial of the present was not likely to be concluded anytime soon and therefore she was entitled to the concession of bail.

4. The learned State counsel on the other hand has filed a fresh reply/Status report by way of affidavit dated 13.08.2024 of Mr. Ravinder Kumar Kundu, HPS, Deputy Superintendent of Police, GRP, Faridabad in the court today, which is taken on record. While referring to the said fresh reply/Status report, he contends that the nature of allegations levelled against the petitioner did not entitle her to the concession of bail. He however concedes that the co-accused of the petitioner had been granted the concession of bail, that only 02 of the 24 Pws have been examined so far and that the petitioner has clean antecedents.

5. The Counsel for the Complainant submits that the nature of the

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of allegations levelled against the petitioner did not entitle her to the concession of bail. He however concedes that co-accused of the petitioner had been granted the concession of bail.

6. I have heard the learned counsel for the parties.

7. Whether or not the ingredients of Sections 306 and 107 IPC are made out shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 29.04.2022 but only 02 of the 24 Pws have been examined so far. Co-accused Jitender Dhankar @ Jeetu has been granted the concession of bail by this Court. In this situation the further incarceration of the petitioner is not required.

8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Neha Mohan** daughter of Sh. Virender Mohan is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 20, 2024
Vinay

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

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