

CRM-M-10573-2026 (O&M)
CRM-M-10611-2026 (O&M)

1

**205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

2028.PHHC.055307



**Date of Decision: 09.04.2026
CRM-M-10573-2026 (O&M)**

1.

BALRAJ @ BALLAD

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

2.

CRM-M-10611-2026 (O&M)

TANNU @ TANAVI

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. D.K.Tuteja, Advocate for the petitioners.

H.S. GREWAL, J. (ORAL)

1. By this common order both the petitions mentioned above are being disposed of as common FIR is involved in these petitions.

2. The petitioners are seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (439 Cr.P.C.) in FIR No.59 dated 16.06.2025, under Sections 308(2), 308(6), 3(5), 111(3), 61 of BNS registered at Police Station Women, Rohtak.

3. The case of the prosecution is that the complainant was blackmailed by one Swati, who had initially lodged a false complaint against him under Section 376 IPC. Subsequently, she withdrew the said complaint after extorting an amount of Rs.15 lakhs from the complainant's family and suffered a statement that the act was performed with consent. It is further alleged by the complainant that he was deprived of an amount of Rs.15 lakhs

by Swati, Balraj and others. The allegation against the petitioners are that they are alleged to be members of a racket indulged in extorting money from innocent people.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is contended that Swati is is the main accused and petitioner-Tannu @ Tanavi is not named in the FIR. Moreover, co-accused Dharampal and Somi @ Somee @ Sonu have already been granted regular bail by this Court vide order dated 12.01.2026 passed in CRM-M-60358-2025 and CRM-M-66922-2025 respectively. The petitioners are in custody for the last 09 months and 19 days.

5. Notice of motion.

6. Dr. Malvika Singh, D.A.G., Haryana accepts notice on behalf of the State and vehemently opposes the prayer for grant of regular bail to the petitioners on the ground of gravity of allegations. Learned State counsel has filed the custody certificates in Court, which are taken on record. As per the custody certificates, the petitioners are in custody for the last 09 months and 19 days and out of 20 cited prosecution witnesses, none has been examined so far.

7. I have heard the learned counsel for the parties and perused the record.

8. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that similarly placed co-accused have already been granted regular bail; the petitioners are in custody for the last 09 months and 19 days; the trial of the

case is yet to commence and continuous detention of the petitioners would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioners during the pendency of the trial.

9. Reference can be made to the judgment of the Hon'ble Supreme Court in the case of *Pardeep Kumar @ Banu versus State of Punjab*, bearing Criminal Appeal No.1341/2026 (arising out of SLP(Cri.) No.18775/2025), decided on 13.03.2026, wherein it has been categorically held that where the accused has remained in custody for a considerable period and the trial has not even commenced, or is not likely to conclude in the near future, therefore, continued incarceration would amount to punishment without trial. In such circumstances, further detention pending trial is not necessary and the accused is entitled to be released on bail.

10. Therefore, without expressing any opinion on the merits of the case, the instant petitions are allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

11. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

12. It is clarified that while on bail so granted through the instant order the petitioners are found indulging in any other criminal case, it shall be open to the State to seek cancellation of their bail.

09.04.2026
Janki

(H.S.GREWAL)
JUDGE