

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

**Criminal Misc. No. M-16557 of 2015
Date of Decision: 17.08.2015**

Subhash

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Vikram Singh, Advocate
for the petitioner(s).

Mr. Kapil Aggarwal, Addl.A.G., Haryana.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 CrPC is for grant of regular bail to the petitioner in case FIR No.15 dated 31.1.2015 under Sections 343, 366, 370, 376 IPC registered at Police Station Kalayat, District Kaithal.

Learned counsel for the petitioner contends that the only role attributed to the petitioner is that he was mediator in the marriage.

On May 29, 2015, this Court has passed the following

order:-

“Learned State counsel submits that in fact the case is fixed for 13.07.2015 in the trial Court for evidence of the prosecution witness and the complainant is likely to be examined on that day.

Adjourned to 17.08.2015.

However, it is made clear that in case the prosecution failed to examine the prosecutrix on the said date, the case of the petitioner for grant of regular bail shall be considered accordingly.”

Learned counsel for the petitioner contends that the prosecutrix is not coming forward to depose in the case and therefore, the petitioner could not be allowed to suffer on account of non-appearance of the prosecutrix.

Learned State counsel, on instructions from ASI Krishan, has not disputed the fact that the petitioner was a mediator in the marriage but submits that petitioner is liable to be prosecuted for the offences referred in the case.

Considering the only allegation against the petitioner that he is mediator in the marriage, no serious allegation has been levelled in the petition and coupled with the fact that as against total 22 witnesses, only 2 witnesses have been examined so far, and the trial will take sufficient long time, the present petition is accepted. The petitioner is admitted to regular bail, subject to his furnishing of bail bonds/surety bonds to the satisfaction of the trial Court.

However, it is made clear that the observations made

here-in-above shall not be construed as any expression on the merits

of the case and the trial Court shall decide the case on the basis of material available before it.

August 17, 2015
AK

(HARI PAL VERMA)
JUDGE