

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

**CRM-M-31830-2016
Date of decision: 08.11.2016**

Harsh Bhardwaj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Susheel Gautam, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

Ritu Bahri, J.

This petition under Section 439 Cr.P.C is for grant of regular bail to the petitioner in case F.I.R No.134 dated 09.04.2016, under Section 365 IPC (Subsequently Sections 363/376 IPC added and Section 365 IPC deleted), registered at Police Station, Civil Lines, Sonipat.

Learned counsel for the petitioner states that prosecutrix (sister of the complainant) had herself left her parental house and got married with the petitioner on 20.04.2016. She was 21½ years of age at the time of marriage.

Another fact, which is not in dispute is that the petitioner was earlier married to cousin sister of the complainant. The regular bail has been denied to the petitioner on the ground that he had cheated the complainant's sister and solemnized second marriage without taking divorce from his first wife.

The petitioner is in custody since 25.06.2016. The fact that the

petitioner was married with the cousin of the complainant was very well in the knowledge of the complainant and her sister. This is evidence from her statement recorded under Section 164 Cr.P.C. (Annexure P-8).

Learned State counsel, on instructions, has informed that after presentation of the challan, charges have been framed on 03.10.2016 and 14 prosecution witnesses are to be examined.

Keeping in view the period of incarceration of the petitioner and the fact that trial may still take some time for its conclusion, this court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sonipat.

08.11.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No