

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

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**Criminal Misc. No. M-5518 of 2016
Date of decision: February 23, 2016**

Pranshu Goel

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. A.D.S. Sukhija, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Mr. Vishal Gupta, Advocate for the complainant.

DAYA CHAUDHARY, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioner, namely, Pranshu Goel in case FIR No.587 dated 02.12.2015 registered under Sections 3, 4 and 6 of Dowry Prohibition Act, 1961 (Sections 376, 323 of the Indian Penal Code were deleted) at Police Station Suraj Kund, District Faridabad during pendency of the trial.

Learned counsel for the petitioner submits that Sections 376 and 323 of the Indian Penal Code were deleted as an affidavit was filed by the prosecutrix before the investigating agency stating therein that she has levelled allegations against the petitioner due to misunderstanding but there was no incident of rape. Learned counsel also submits that co-accused of the petitioner, namely, Ashok Kumar Goel has approached this Court by way of filing **Criminal Misc. No.M-1931 of 2016** for anticipatory bail and the same was granted to him on 19.01.2016. Another co-accused, namely, Poonam Goel (mother of the petitioner) has also been released on anticipatory bail by the trial Court. In the present case, marriage did not take place and only engagement was there. The marriage could not be matured after engagement and the present FIR was registered just to falsely implicate the petitioner. The petitioner is in custody since 03.12.2015, the trial may take long time to conclude and no purpose would be served by keeping the petitioner behind the bars.

Learned counsel for State as well as the complainant have not disputed the custody period as well as the factum of filing of the affidavit by the complainant before the investigating agency.

Heard arguments advanced by learned counsel for the parties and have also perused the allegations levelled against the petitioner.

Admittedly, Sections 376 and 323 of the Indian Penal Code have been deleted by the investigating agency after filing of the

affidavit by the complainant. On the same set of allegations, co-accused, namely, Ashok Kumar Goel and Poonam Goel have been released on anticipatory bail and the petitioner is in custody since 03.12..2015; the complainant has stated in her affidavit that the aforesaid FIR was registered due to misunderstanding; trial may take long time to conclude and that no useful purpose would be served by keeping him behind the bars any further, the present petition is allowed. The petitioner, namely, Pranshu Goel is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

February 23, 2016
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(DAYA CHAUDHARY)
JUDGE