

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

CRM-M-25495-2016 (O&M)
Date of decision : 06.12.2017

Ajit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Suresh Kalia, Advocate for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana,
assisted by ASI Satish Kumar.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.344 dated 23.06.2016, registered under Sections 376 and 379 of the Indian Penal Code, at P.S. Samalkha, District Panipat.

Contents that the petitioner was in a love affair with the sister of the prosecutrix and solemnized marriage with her against the wishes of the prosecutrix-complainant and her family. The sister of the prosecutrix is still residing in her matrimonial home. The petitioner is in custody since 24.06.2016. He was also granted interim bail on account of the illness of his wife and he never misused the concession so granted.

On the other hand, learned State counsel on instructions, submits that charges have been framed against the petitioner and out of twelve prosecution witnesses, two have already been examined.

Heard.

The petitioner is in custody since 24.06.2016. Out of twelve prosecution witnesses, only two have been examined so far. The

complainant already stands examined. The fact that the sister of the prosecutrix solemnized marriage with the petitioner and is still residing at her matrimonial home is also a circumstance in favour of the petitioner.

In view of the above, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

06.12.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No