

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

**CRM-M-34601-2017
Date of decision: 21.09.2017**

Amit Verma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kunal Dawar, Advocate for the petitioner.

Mr. P. P. Chahar, DAG, Haryana.

Mr. Sanjeev Gupta, Advocate for the complainant.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 547 dated 30.06.2017, under Sections 354-D, 506 of the Indian Penal Code (Section 195-A IPC added later on), registered at Police Station Sarai Khawaja, District Faridabad.

It is contended by the counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since 11.07.2017. It is argued that the petitioner and the prosecutrix had a joint partnership of tiffin business and later on due to some dispute they separated their respective work. It is further argued that initially an FIR bearing No. 26 dated 14.02.2017 was registered by the same prosecutrix against the petitioner under Sections 376 and 506 of the IPC in which the petitioner was granted regular bail by an order dated 27.04.2017 passed by learned Additional Sessions Judge, Faridabad (Annexure P-4), while holding that the prosecutrix had improved

her version while giving statement under Section 164 Cr.P.C. as compared to the allegations in the FIR. The instant FIR bearing No. 547 was subsequently got registered. It is also submitted that the statement of the prosecutrix has been recorded under the proceedings initiated under FIR No. 26 dated 14.02.2017, hence, there is no likelihood of threatening her.

Mr. P. P. Chahar, DAG, Haryana, has appeared on behalf of respondent-State and contested the bail application. He opposes the grant of regular bail to the petitioner but is not able to dispute the fact that the petitioner was earlier granted regular bail in an FIR which was also registered by the prosecutrix herein.

I have heard learned counsel for the parties and have also perused the paper book.

Without going into the merits of the case and keeping in view the fact that petitioner is in custody since 11.07.2017 and the trial is likely to take some time to conclude, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that the petitioner shall not threaten, intimidate or post messages, pertaining to the prosecutrix, on any social website or application like Facebook, Whats App, Instagram etc. and in case he does so, the prosecutrix will be at liberty to approach this Court for cancellation of the bail granted to him.

21.09.2017

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No