

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

Crl. Misc. M-38097 of 2016 (O&M)
Date of Decision: November 09, 2017

Balram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ranvir Singh Arya, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

Mr. Birinder Singh Rana, Senior Advocate with
Mr. Rajinder Paul, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in case FIR No.161 dated
24.05.2016, under Sections 498-A, 302, 304-B, 323, 34 of Indian Penal
Code, registered at Police Station Sadar Panipat, District Panipat.

Learned counsel for the petitioner contends that the petitioner
herein was taken into custody in the aforesaid FIR on 27.05.2016. It is
argued that there has been material improvement in the statement of the
complainant. It is also contended that since the statement of the
complainant has already been recorded, therefore, petitioner is entitled to be

enlarged on bail.

Per contra, learned Senior counsel appearing on behalf of the complainant as well as counsel for respondent-State, oppose the grant of regular bail, by submitting that the occurrence took place at the matrimonial home within two years of the marriage and the petitioner herein being the husband, would not be entitled to grant of regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the fact that statement of the complainant has already been recorded, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

November 09, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No