

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

Criminal Misc. No.M- 42026 of 2016(O&M)

Date of Decision: May 18 , 2017.

Sumit @ Moni PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Bhupender Singh, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

Mr. M.D.Khan, Advocate
for the complainant.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner seeks regular/interim bail pending trial in FIR No.96 dated 05.09.2016 under Sections 294/376(2)(n)/377/506/34 IPC and Section 3 of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Women, Jhajjar.

It is to be noted that interim bail for a period of two months was afforded to the petitioner vide order dated 19.01.2017 passed by this Court.

Relevant extract of order dated 19.01.2017 reads as under:-

“Learned counsel for the petitioner contends that the petitioner and the complainant wish to get married. It was due to a misunderstanding that the above said FIR was registered against him. There was resistance to the marriage by his family as the petitioner and the complainant belong to different castes but now the families are agreeable to the marriage. In these circumstances, it is prayed that interim bail for two months be granted to the petitioner.

The complainant, duly identified by ASI Munesh, Police Station Women Jhajjar, is present in Court. She states that she is 23 years old and wishes to marry the petitioner and she has no objection to the grant of interim bail to the petitioner for this purpose.

Learned counsel for the State submits that he has also interacted with the complainant and submits that she indeed wishes to get married with the petitioner.”

Thereafter, the petitioner on being released on interim bail, solemnized marriage with the complainant on 02.02.2017. It is submitted that both of them are living together at their matrimonial home.

Learned counsel for the complainant affirms the abovesaid factual position. The complainant, duly identified by her counsel as well as ASI Munesh, is present in Court. She affirms the factum of her marriage with the petitioner. The complainant states that she has no objection in case, the petitioner is granted the concession of bail pending trial.

It is to be noted that CRM No.M-4899 of 2017 (Sumit @ Moni v.

State of Haryana and another) for quashing of the aforementioned FIR is pending before this Court.

Keeping in view the peculiar facts and circumstances as noted above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by Sumit @ Moni is allowed. Interim bail granted to the petitioner pursuant to order dated 19.01.2017 passed by this Court shall enure during the pendency of trial subject to his furnishing fresh bail bonds and surety to the satisfaction of the learned Trial Court.

May 18 , 2017.
'om'

(LISA GILL)
JUDGE

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