

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

**Criminal Misc. No.M-11355-2018 (O&M)
Date of Decision: May 18, 2018.**

VIKRAM

..... PETITIONER

Versus

STATE OF HARYANA

..... RESPONDENT

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Gourav Jain, Advocate for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

Mr. Karan Singh, 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 prays for bail pending trial in FIR No.1121 dated 22.12.2017, under Sections 377 and 328 of IPC, registered at Police Station Model Town, Panipat.

It is submitted that the above said FIR was registered due to temperamental differences between the petitioner and complainant-wife. The matter has been amicably resolved between the parties during the pendency of this petition. The petitioner, it is submitted, is not involved in any other criminal case and has been in custody since 22.12.2017. The petitioner undertakes not to

misuse the concession of bail, if afforded to him. It is thus prayed that this petition be allowed.

The complainant, duly identified by her counsel as well as ASI Satbir, are present in Court. Complainant-Ritu submits that the matter has indeed been amicably resolved by her out of her own free will with the petitioner and she has no objection in case the present petition is allowed and the petitioner is enlarged on bail.

Affidavit dated 15.05.2018 of complainant-Ritu wife of Vikram, filed in Court today, is taken on record subject to just exceptions.

Learned counsel for the State, on instructions from ASI Satbir, verifies that the matter has been amicably resolved between the parties during the pendency of this petition. The petitioner, who has been in custody since 22.12.2017, is not reported to be involved in any other criminal case. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall

be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

May 18, 2018
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(LISA GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No