

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-13246 of 2018
Date of Decision: 19.4.2018**

Krishan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. D.P.S.Bajwa, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana
assisted by ASI Kuldeep Singh.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 61 dated 4.4.2016 registered at Police Station Sadar Narwana, District Jind under Sections 376, 506 IPC.

Petitioner is the *jeth* of the complainant.

Counsel for the petitioner has placed on record the statement made by Monika and urges that the relations between Monika and brother of the petitioner were strained and this fact was admitted by her in her statement made in the Court. It was urged that in another statements given in different proceedings, she had stated that she had not gone to the matrimonial house after 2015 and no DNA test was carried out and the petitioner is in custody since 17.4.2016 and the trial is taking time.

State counsel submits that FSL report has shown a positive report but no DNA test was taken.

The two statements given by the complainant in different proceedings were shown during the arguments. There is an admission by the complainant that her relations with her husband were strained and the proceedings were pending in Hansi Courts since 2006. In the statement made on 14.3.2018 she had also admitted that the case was still pending in the Court at Hansi and she was getting maintenance.

The statement of the prosecutrix has been recorded. The trial is taking time.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

April 19, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No