

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

Crl. Misc. M-1340 of 2018 (O&M)
Date of Decision: January 19, 2018

Deepak Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Parmod Chauhan, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

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.311 dated 30.09.2017, under Sections 363, 366, 376, 506, 120-B of Indian Penal Code registered at Police Station Nissing, Karnal.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 05.11.2017. It is submitted that the petitioner is falsely implicated in the present case, in fact, the petitioner and the prosecutrix have solemnized a marriage against the wishes of parents of the prosecutrix at Delhi on 28.09.2017 and also got their marriage registered. Learned counsel relies upon marriage certificate Annexure P-1, marriage photographs Annexure-2 and affidavits Annexures

P-3 and P-4 in this regard. It is further submitted that after marriage, the prosecutrix and the petitioner herein have resided together as husband and wife at Delhi for a period of about one month. It is contended that when the prosecutrix i.e. the petitioner's wife went back to her parents, on the assurance that they would accept our marriage, the prosecutrix under the pressure of her parents, came up with the false allegations against the petitioner. It is also contended that investigation is complete, as the challan has been presented, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that offences against the petitioner are serious in nature.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 05.11.2017 and that investigation is complete, as the challan has been presented, 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.

January 19 , 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No