

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

Crl. Misc. M-20587 of 2018 (O&M)
Date of Decision: July 04, 2018

Joginder

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ajay Ghangas, 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.69 dated 28.03.2018, under Sections 328, 34, 354, 363, 366, 376, 506 of Indian Penal Code, registered at Police Station Israna, District Panipat.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 03.04.2018. It is submitted that complainant-Nidhi has solemnized a marriage with the petitioner on 08.08.2017 in Arya Samaj Mandir, Delhi on their own free will and thereafter, even sought protection from this court by way of filing CRM-M-30421 of 2017, which was allowed on 28.08.2017. She had even appeared before the SDM Panipat in a petition filed under Sections 97 and

98 of Cr.P.C. by the mother and stated that she wanted to reside with her husband, however, the instant FIR came to be lodged on 28.03.2018, which is wholly unsustainable. It is also contended that investigation is complete in the matter, as the challan has been presented and conclusion of trial will take sufficient time, 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 the offences alleged against the petitioner are serious in nature. However, does not dispute the fact that challan has been presented in the matter.

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 03.04.2018 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.

July 04, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No