

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

**CRM-M No.25667 of 2018
Date of Decision.18.06.2018**

AnkitPetitioner
Vs
State of HaryanaRespondent

Present: Mr. Nonish Kumar, Advocate
for the petitioner.

Mr. Rajesh Gaur, Addl. A.G., Haryana.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J.(ORAL)

The petitioner along with his relatives has been involved in FIR bearing No.147 dated 11.02.2018 under Sections 323, 406, 498-A, 376, 511, 509, 354-A, 120-B IPC registered at Police Station Sadar Karnal on the complaint made by the complainant.

Learned counsel appearing for the petitioner submitted that marriage between the petitioner and the complainant was performed on 14.04.2015. The complainant has studied upto 12th class and was working as Staff Nurse at Public Health Services, Ravina on contract basis under the NRHM Scheme. The petitioner had gone to Austria on work visa and when arrived India on 01.06.2018, was arrested. Even the passport of the petitioner has been confiscated by the police. The allegation levelled in the FIR by the wife are yet to be substantiated in the trial, for, the same are false and baseless. The trial Court has already granted concession of regular bail to all the 16 accused named in the FIR except the petitioner-husband.

Mr. Rajesh Gaur, Addl. A.G., Haryana on instructions

from ASI Charan Singh submitted that the matter is at investigation stage as the IO had suffered fracture and therefore, the investigation has been assigned to the new IO on 14.06.2018. The challan in the present case is yet to be presented. He does not dispute that the petitioner has been arrested at the airport only when he returned from Austria to India.

I have heard learned counsel for the parties and appraised the paper book. The trial Court has already granted concession of regular bail to all the co-accused except the petitioner. It is yet to be proved whether the allegations made in the FIR are genuine or not, for, it would be matter of evidence but the fact of the matter is that the petitioner, who has returned from abroad is behind bars since 01.06.2018 and no recovery has to be made from him.

Without commenting upon merits and demerits of the case, I am of the view that no useful purpose would be served by keeping the petitioner behind bars as the trial Court is likely to take some time in concluding the trial.

Keeping in view the aforementioned facts and circumstances, I deem it appropriate to grant regular bail to the petitioner. Resultantly, the crl. petition is allowed and the petitioner is ordered to be released on bail subject to furnishing of bail bonds to the satisfaction of the Duty Magistrate/CJM, Karnal.

(AMIT RAWAL)
JUDGE

June 18, 2018

Pankaj*

Whether reasoned/speaking

Yes

Whether reportable

No