

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-38222 of 2018

Date of decision : October 16, 2018

Arvind Chandila

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Abhilaksh Grover, Advocate, for the petitioner
Mr. Munish Sharma, AAG, Haryana for the State with
HC Usha, PS Women, City Ballabgarh, Faridabad

Fateh Deep Singh, J. (Oral)

This order shall dispose of first regular bail application under Section 439 Cr.P.C. moved on behalf of the petitioner.

The present case was got registered on the statement of Mahendri wife of Ajit Singh. In her allegations she has alleged that earlier she has got another FIR registered against the present petitioner and thereafter the petitioner had been harassing her again and again and pressurizing her to withdraw the criminal case. It is further alleged that the petitioner on a number of occasions had been following her/stalking and in spite of endeavours of the complainant, he did not stop, leading to the registration of the present case in which the petitioner was arrested on 8.8.2018.

Counsel for the petitioner at the very onset contends that it is a case of personal dispute as husband of the complainant owes money to the petitioner and the petitioner is behind the bars since long time and that the trial is not likely to be concluded in near future.

On behalf of the State, the same is sought to be opposed by the learned State counsel submitting that the petitioner has sought to harass/humiliate and offend the complainant by stalking her and thus, is not entitled to any concession of bail.

Appreciating the submissions, the petitioner is behind the bars since more than two months and the trial is not likely to be concluded in near future, no useful purpose will be served by his continuous detention and culpability if any shall be determined at the time of trial. Accordingly, he is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Faridabad.

The present petition stands disposed off accordingly.

The observations made herein above shall not be binding on the trial court at the time of trial as these are purely for the disposal of the present bail application.

October 16, 2018
'tiwana'

(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No