

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

Criminal Misc. No.M-47602 of 2017(O&M)

Date of Decision: February 20, 2018.

Sunil

Petitioner.

Versus

State of Haryana

Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Hakam Singh, Advocate
for the petitioner.

Mr. Anmol Malik, AAG., Haryana.

LISA GILL, J.

CRM-2180 of 2018.

Annexure P-3, is taken on record subject to just exceptions.

Application is disposed of.

CRM-M-47602 of 2017.

Petitioner seeks the concession of bail pending trial in FIR No.844 dated 25.10.2017, under Sections 354, 354-A, 354-B, 506, 323 IPC, registered at Police Station City Sirsa, District Sirsa.

It is submitted that there is a matrimonial dispute between the petitioner and his wife, who is residing with his parents and family. An FIR No. 515 dated 04.07.2017, under Sections 147, 149, 323, 341, 506 IPC (Annexure P-3) was registered by the present petitioner against his own parents and brothers. The present FIR has been registered as a counterblast to the said FIR. The petitioner is the brother-in-law (Devar) of the complainant in this case and has been falsely implicated. Moreover, the petitioner undertakes to face the proceedings and not abuse the concession of bail, if afforded to him. It is thus

prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Satbir Singh, verifies the filing of FIR No. 515 dated 04.07.2017 (Annexure P-3), though, it is submitted that the same cannot cast a shadow on the genuineness of the present FIR. It is submitted that the challan/final report under Section 173 Cr.P.C., has since been presented in this case. No recovery is to be effected from the petitioner, who is admittedly not involved in any other criminal case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition filed by Sunil, is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition

20.02.2018
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.