

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-3995 of 2019

Date of Decision: February 01, 2019

Manjeet Singh

.....Petitioner

Versus

The State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Govind Chauhan, Advocate
for the petitioner.

Mr. Baljinder Virk, DAG, Haryana.

FATEH DEEP SINGH, J. (Oral)

This order shall dispose off regular bail application under Section 439 Cr.P.C. moved in FIR No. 1154 dated 12.10.2018 under Sections 323, 498-A, 506 and 34 IPC and Section 3(2) (Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities Act, 1989 registered at Police Station Sadar Karnal.

The brief facts that have been brought to the notice of this Court are that complainant Kajal was married to the present petitioner Manjeet Singh on 3rd June, 2018 and during the course of events matrimonial dispute had arisen with the petitioner and the present case was got registered. In the allegations, the complainant wife claims that her father-in-law co-accused non applicant Mahinder Singh is a

drunkard and has bad habits and does vulgar behavior with her in the absence of her husband and used to do all those acts and when the matter was brought to the notice of the husband, he too did not act into it and when she became pregnant the mother-in-law has sought to accuse the complainant that the child was illegitimate. It is further alleged that the family refused to maintain her on different allegations and she was thrown out of the matrimonial home.

Mr. Govind Chauhan, Advocate for the petitioner contends that the petitioner is behind the bars since 2 ½ months and that a bare perusal of the FIR reveals that no case under the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities Act, 1989) is made out and that the present case is a mere pressure tactic by the wife on account of matrimonial discord and that the trial is not likely to be concluded in near future.

Mr. Baljinder Virk, DAG, Haryana on instructions from ASI Vijay Kumar Police Station Sadar Karnal concedes the factual scenario at the bars but has opposed the grant of bail on the ground that the accused being the principal accused is not entitled to bail and if allowed bail would influence the investigation and the trial.

Appreciating the submissions from the two sides and in view of the fact that the petitioner is behind the bars for almost two months and a perusal of the FIR shows that no specific allegations attributed to the petitioner coupled with the fact that culpability, if any, of the petitioner shall be determined at the trial which is not likely to be concluded in the near future. This Court is of the opinion that it is a

fit case for grant of bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed off.

February 01, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No