

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-4589 of 2019 (O&M)
Date of decision : February 05, 2019

Usman Arif

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Khalil Ansari, Advocate, for the petitioner
Mr. Baljinder Virk, DAG, Haryana for the State
Mr. Aajam Khan, Advocate, for the complainant

Fateh Deep Singh, J. (Oral)

Mr. Aajam Khan, Advocate has put in appearance on behalf of the complainant and has filed power of attorney.

The present case in which the petitioner Usman Arif has filed regular bail application under Section 439 Cr.P.C. have been levelled by the complainant an unmarried lady aged around 27 years wherein she alleged that while she was working in a Private Undertaking, she came in contact with the petitioner and subsequently they moved together in a common dwelling unit and lived as husband and wife and when she got pregnant the petitioner used to blackmail her and even threatened her that he will throw acid on her and after this almost four years of relationship, the petitioner underwent marriage with somebody else and was earlier arrested in this

case on 5.12.2018.

Counsel for the petitioner submits that the parties have effected a compromise and has sought to place reliance on the affidavit of the prosecutrix placed on the file in original as Annexure P/3. The complainant who had appeared in person along with her counsel has sought to reiterate her averments made in her affidavit Annexure P/3 and has made statement that she has no objection if the petitioner is granted bail, though on behalf of the State, the same is sought to be opposed on the grounds of heinousness of crime and seriousness of allegations.

Appreciating the submissions, since the complainant and the accused-petitioner have sorted out their issues and the complainant had shown her no objection in allowing the present petition, it would be traversity of justice to keep the petitioner behind the bars for the time to come. Culpability if any shall be determined at the trial which is not to be concluded in near future, no purpose will be served by retaining the petitioner in jail. Accordingly, he is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Gurugram.

The present petition stands disposed off accordingly.

February 05, 2019
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No