

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221

CRM-M-7680-2019

Date of Decision:06.03.2019

Sanjay Pal @ Sanjay

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Pawan Attri, Advocate,
for the petitioner.

Ms. Mahima Yashpal, A.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.0215 dated 04.05.2018 under Sections 328, 366, 376, 506 IPC, registered at Police Station Pundri, District Kaithal.

Learned counsel for the petitioner states that the petitioner is in custody since 16.05.2018. In fact, the prosecutrix and the petitioner solemnized the marriage on 07.05.2018. The allegation that the petitioner gave some intoxicant to the prosecutrix, cannot be accepted as she has accompanied the petitioner in the night, when the other family members were in sleep in the same house. Moreover, on the relevant date, the prosecutrix was sleeping with her own mother, therefore, it is not possible to administer intoxicant to the prosecutrix.

Learned State Counsel refers to the statement of the prosecutrix

recorded under Section 164 Cr.P.C. and contends that on 03.05.2018, the accused had come to the house of the prosecutrix with some intoxicant material with him. He administered the same to her and due to which, she became unconscious. Thereafter, he blackmailed her.

Heard learned counsel for the parties.

This Court finds that 09 more witnesses are still required to be examined in the case though they are formal witnesses. The prosecutrix is major aged about 20 years. She had gone with the accused in the night time while she was sleeping with her mother. Considering the fact that the petitioner is in custody since 16.05.2018 and the material witnesses have already been examined, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

March 06, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No