

CRM-16069-2019 in/and
CRM-M-9437-2019
Date of Decision : 23.07.2019

Ajay Kumar Sharma @ Happy

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Punit Malik, Advocate
for the petitioner.

Mr. Ripu Daman, AAG, Haryana
for the respondent-State.

FATEH DEEP SINGH, J. (ORAL)

Mr. Pardeep Chhoker, Advocate puts in appearance of his own on behalf of the complainant, who is present in person in Court today along with his daughter-Kheema and filed *vakalatnama* and has placed on record the compromise agreement arrived at between the parties, which is taken on record.

Complainant-Shankar Dutt, who has been identified by his counsel, Mr. Pardeep Chhoker, Advocate, has made statement that he has compromised the matter and he as well as his daughter-Kheema, who by

now, is major, have no objection, if the petitioner is allowed regular bail.

Let the arguments be heard.

This order shall dispose off second regular bail application under Section 439 Cr.P.C in a case bearing FIR No.378 dated 16.11.2018 filed under Sections 363/366-A of the Indian Penal Code registered at Police Station Kherki Daula, Gurugram.

The allegations against the petitioner have been levelled by complainant-Shankar Dutt, father of the minor girl, that on 13.11.2018, his daughter who had gone out, did not return and in spite of their best efforts, could not traced her out and subsequently, it was revealed that she was enticed and abducted by the son-in-law/petitioner-Ajay Kumar Sharma @ Happy with an intention to marry her. The girl was subsequently, recovered on 16.11.2018 along with the petitioner, who is in custody since then.

Learned counsel for the petitioner has made statement that the parties have effected a compromise and the complainant has made statement that he has no objection if the petitioner is allowed regular bail.

On behalf of the State, the learned State counsel, assisted by HC Shiv Shankar, Police Station Kherki Daula, Gurugram, submits that since the parties are close relatives and have resolved the dispute and the girl has become major, they do not object to the same.

In light of the stand of the complainant and the fact that the petitioner is in custody by almost 08 months, thus, culpability, if any, shall be determined at the trial, this Court is of the opinion that it would serve no useful purpose to further detain the petitioner in custody. Accordingly, he is

ordered to be released on regular bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/Illaqa Magistrate of the Court concerned.

The petition stands disposed off accordingly.

23.07.2019
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No