

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

**CRM-M No.33492 of 2017
Decided on: 12.02.2019**

Rohtash

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : None for the petitioner.

ASI Harjinder Singh.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular bail in FIR No.119 dated 12.05.2017, registered under Sections 323, 436, 427, 506 IPC and 25/54/59 of the Arms Act at Police Station Adampur, District Hisar.

On 14.09.2017, the following order was passed by this Court:-

“...Counsel for the petitioner submits that the complainant – Sunita is wife of the petitioner, out of this wedlock two children namely Pratiksha and Puneet are born and they are residing in the matrimonial home. On account of some matrimonial discord on an earlier occasion, the complainant had filed a petition seeking maintenance and has also registered FIR No.279 dated 20.07.2013 under Sections 498-A, 323, 406 and 506 IPC at Police Station Bhuna. Later on, the petitioner was acquitted by the trial Court vide its judgment dated 02.06.2016 and there was a compromise arrived at between the parties regarding the maintenance and the complainant i.e. wife of the petitioner was brought back to her matrimonial home. Counsel further submits that he is still ready to rehabilitate and amicably settle the dispute

with his wife.

In view of the above, the petitioner is directed to be released on interim bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court in order to enable him to appear before the Mediation and Conciliation Centre of this Court on 25.09.2017.

List again on 06.11.2017....”

Thereafter, the petitioner remained on interim bail.

On the last date of hearing, it was stated by counsel for the petitioner that the complainant has not supported the prosecution version.

ASI Harjinder Singh, who is present in the Court, has placed on record the certified copy of the statement of PW6 i.e. the complainant – Sunita today in the Court.

The complainant has stated before the trial Court that on 11.05.2017 a fire broke out in her house accidentally and she has not given any complaint against her husband or relative to the police. This witness was declared hostile and was cross-examined by the Public Prosecutor and when the relevant statements were put to her, she denied the same.

In view of the above, the petition is allowed and the order dated 14.09.2017 is made absolute.

(ARVIND SINGH SANGWAN)
JUDGE

12.02.2019

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Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No