

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

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CRM-M-18457-2019

Date of Decision:04.07.2019

Yusuf

.....Petitioner

Versus

State of Haryana

.....Respondent

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

**Present: Mr. Sandeep Kumar Rana, Advocate,
for the petitioner.**

Ms. Gaganpreet Kaur, AAG, Haryana.

**Ms. Shelja Sharma, Advocate for
Mr. Saleem Ahmed, Advocate,
for the complainant.**

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.199 dated 15.11.2018 under Sections 365, 511, 506/34 IPC and Section 25 of the Arms Act, 1959, registered at Police Station Bichhore, District Nuh.

Learned counsel for the petitioner states that the petitioner is brother-in-law(Jija) of Kayam, co accused in the case. The complainant-Warisha has solemnized marriage with Kayam for which they have approached this Court by way of CRM-M-26545-2018 (Warisa and another Versus State of Haryana and others), so as to seek protection to their life and liberty on account of having solemnized marriage and this fact has conveniently been concealed by the complainant in the FIR. Petitioner is in custody since 15.11.2018 and the allegation against the petitioner is that

he along with other co-accused has kidnapped the complainant.

Learned State Counsel, on instructions from SI Parkash Chand, does not dispute the custody period. However, she states that there is no such details in the FIR as regards protection sought by the complainant.

Heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 15.11.2018 and the complainant has solemnized marriage with Kayam and as a consequence thereto, has approached this Court by way of CRM-M-26545-2018, so as to seek protection, the culpability of the petitioner is yet to be established during the course of trial.

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.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

July 04, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No