

216.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19552-2019

Date of decision:16.08.2019

SATYAVIR

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sandeep Kumar Yadav, Advocate, for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner, pending trial, in case FIR No.131 dated 29.10.2018 registered under Sections 376-D, 420, 506 of IPC (challan has been filed under Sections 376/420/506 of IPC) at Police Station Women, Narnaul, District Mahendergarh.

Counsel for the petitioner, while referring to the marriage certificate issued by Arya Samaj Vivah Mandir Trust (Regd.), Kavi Nagar, Ghaziabad (UP) (Annexure P-2), the Certificate of Registration of Marriage dated 23.08.2018 issued by the Marriage Registration Officer, Sadar First, Ghaziabad (Annexure P-3) and the photographs of the marriage (Annexure P-4), has argued that in fact the petitioner and the complainant solemnized marriage on 23.08.2018. He states that the complainant is in the habit of filing such like FIRs. Moreover, she was already married with one Sandeep, resident of Sultana Arihan (Rajasthan). Petitioner is in custody since

Learned State counsel, on instructions from ASI Shakuntala, states that the complainant has been summoned in the case to depose in the case, but despite there being bailable warrants, she is not appearing in the case.

I have heard counsel for the parties.

Considering the conduct of the prosecutrix where despite there being issued notices by the trial Court, she is not appearing to depose in support of her case for which the trial Court has to issue bailable warrants, this Court finds that the trial in the case is not likely to be concluded in the near future and, therefore, 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 his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

(HARI PAL VERMA)
JUDGE

16.08.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No