

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

CRM-M-38378 of 2019.

Decided on:- September 18, 2019.

Mayank Sharma @ Mayank.

.....Petitioner.

Versus

State of Haryana and another

.....Respondents.

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

Present:- Mr. Sansar Kundu, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

Respondent No.2-complainant in person with
Mr. Sudarshan Thakur, Advocate.

HARI PAL VERMA, J. (Oral)

The petitioner has filed present petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.29 dated 21.05.2019 under Sections 376, 506 and 417 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Women, District Rewari.

Learned counsel for the petitioner states that the petitioner and respondent No.2 were known to each other as they were working together. Now, they have decided to solemnise marriage. He has referred to the copy of affidavit dated 17.07.2019 (Annexure P-2) furnished by the respondent No.2-complainant, wherein she has stated that with the intervention of the Panchayat, differences have been sorted out and the petitioner is ready to

solemnise marriage with her. Therefore, she is no more interested to take any action against the petitioner in the present F.I.R.

The respondent No.2-complainant along with her counsel Mr. Sudarshan Sharma, Advocate is present in Court. Power of attorney filed on behalf of the complainant in Court today, is taken on record.

On instructions from his client, learned counsel for respondent No.2-complainant submits that the complainant has no serious objections in case the petitioner is admitted on bail as they have decided to solemnise marriage with each other.

Learned State counsel states that the allegations against the petitioner are serious in nature and at this stage, she is not able to make any comment about the affidavit (Annexure P-2) furnished by the complainant.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is ready to solemnise marriage with the complainant and the complainant has furnished an affidavit (Annexure P-2) in support of the petitioner, this Court finds that the petitioner deserves to be admitted on bail.

Therefore, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

However, it is made clear that in case the petitioner influences the prosecution witnesses in any manner directly or indirectly, the prosecution shall be at liberty to seek cancellation of his bail.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

September 18, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:

Yes

Whether Reportable:

No