

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

Criminal Misc. No.M-43906 of 2019

Date of Decision: 22.10.2019

Sankalp Kumar

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

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

Present:- Mr. Atul Lakhanpal, Sr. Advocate with
Mr. R.S. Chahal, Advocate
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

Mr. Aditya Sanghi, Advocate
for the complainant.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.159 dated 25.07.2019 under Sections 354-D (11)/506 IPC and Section 66 IT Act registered at Police Station Women, Panipat.

Learned counsel for the petitioner states that the complainant is the real sister of the wife of the petitioner and the petitioner has a matrimonial dispute with his wife-Seema. The allegation against the petitioner is that he has posted certain vulgar messages *qua* the complainant on Facebook and in this background, the FIR in question has been registered against him. The petitioner is in custody since 10.09.2019.

Mr. Aditya Sanghi, Advocate has put in appearance on behalf of the complainant and filed his power of attorney in Court, which is taken on record. He submits that the complainant has nothing to do, so far as matrimonial dispute of the petitioner is concerned. However, since the petitioner has posted certain obscene and vulgar messages about the complainant on Facebook, he is not entitled to be admitted on bail, particularly when he has threatened the complainant in the case also.

Learned State counsel does not dispute the custody period of the petitioner.

I have heard learned counsel for the parties.

The petitioner is stated to have a matrimonial dispute with his wife. Considering the fact that the complainant is the real sister of the wife of the petitioner and petitioner is in custody since 10.09.2019 and trial in the case will take sufficiently long time, I deem it appropriate to release him on regular bail.

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.

It is made clear that the petitioner shall not extend any threat to the complainant or any of the witnesses in the case.

Needless to say that the observations made hereinabove shall not construed as any expression on the merits of the case.

October 22, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No