

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

CRM-M No.44486 of 2019
Date of decision: 24th October, 2019

Sajal Gupta

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Rakesh Gupta, Advocate for the petitioner.

Mr. Baljinder S. Virk, Dy. Advocate General, Haryana
for respondent No.1/State.

Mr. Viraj Gandhi, Advocate for the complainant.

FATEH DEEP SINGH, J. (ORAL)

Petitioner Sajal Gupta has sought regular bail in this first application under Section 439 Cr.P.C. in case bearing FIR No.52 dated 02.04.2019 under Sections 498-A, 420, 376, 120-B, 506 IPC pertaining to Police Station Sector 5, Panchkula got registered by complainant, the estranged wife of the petitioner. The allegations in brief are that the petitioner as well as complainant entered into a relationship in December 2010 while they were attending coaching classes together and thereafter being colleagues while working together. It is on the representation of the petitioner that he would enter into a wedlock with the complainant, the latter physically surrendered herself before the petitioner and it is thereafter, on 15.11.2018 the couple entered into a wedlock. On account of matrimonial dispute, the present case has been got registered.

Learned counsel for the petitioner Mr. Rakesh Gupta, Advocate inter alia contends that it was a pure matrimonial disaccord wherein the facts have been twisted and that now the parties have sorted out their dispute, and has tried to place reliance on the affidavit of the complainant which is taken on record.

On behalf of the State, Mr. Baljinder S. Virk, Dy. Advocate General, Haryana on instructions from SI Virender Singh, Police Station Sector 5, Panchkula though has not disputed the facts brought to the notice of this Court, but has sought to oppose the grant of bail on the grounds of heinousness of the offence and the fact that if allowed bail the petitioner might influence the trial.

Going through the arguments of the two sides, as is there on the record, the parties have married and thereafter on account of matrimonial dispute the present case has been got registered and the petitioner is in custody. The complainant wife who has appeared today in person and has filed her affidavit along with identity proof, has made statement before the Court that she does not object if the petitioner is allowed bail.

In the light of the same and the fact that the trial is not likely to conclude in the near future, this Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Panchkula.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

October 24, 2019

rps

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