

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-49669-2019 (O&M)
Date of Decision:- 27.11.2019

Sushil

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Yashveer Kharb, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Sushil has approached this Court seeking grant of regular bail in a case registered vide FIR No.728, dated 25.7.2019, registered at Police Station Chandni Bagh, District Panipat, under Sections 114, 323, 376, 511 IPC and Section 67 of I.T. Act (Section 201 of IPC added later on).
2. The FIR was lodged at the instance of the victim wherein it has been alleged that her re-marriage was solemnized with Praveen on

1.2.2003 but shortly after the re-marriage he started nursing a grudge against the victim's son Ashu from her previous marriage. It is alleged that Praveen was a drunkard and a gambler and used to bring his friends home despite her protest. It is alleged that on one occasion he brought Sushil home and bolted the door from outside. Sushil is alleged to have made an attempt to establish forcible relations with the complainant. Later when Praveen returned back home, the victim apprised him but Praveen did not react and instead gave beatings to the victim. It is further alleged that Sushil stated that Praveen had taken an amount of ₹20,000/- from him and in return Praveen had said that Sushil would be compensated by the victim. The victim has further stated that marriage of her younger sister had been fixed with Sushil but due to his behaviour the said relationship was broken.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that falsity would be evident from the fact that the complainant herself has stated that earlier her younger sister was to be married to Sushil but later the marriage was called off and that it is on account of said motive that the petitioner has been falsely implicated.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. It has however, been informed that the petitioner has been behind bars since the last about 2 ½ months.

5. Having regard to the facts and circumstances of the case and while refraining from making any expression as regards merit of the case and while keeping in view the fact that the petitioner has been behind bars since the last more than 2 ½ months, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and petitioner-Sushil is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

November 27, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No