

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

CRM-M-409-2020 (O&M)
Decided on : 07.02.2020

Ajit

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vishal Malik, Advocate
for the petitioner.

Mr. D.R.Singla, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.52 dated 09.06.2019 registered under Sections 376 and 506 IPC at Police Station Bapoli, District Panipat.

Learned counsel for the petitioner contends that the prosecutrix and the petitioner had solemnized marriage against the wishes of the parents and thereafter approached this Court as well by filing CWP No.16760 of 2019 for protection. However, subsequently prosecutrix took a 'U' turn and under the pressure of her parents got registered the FIR in question and subsequently offence under Section 376 IPC was added in the FIR. It has also been contended that the petitioner is behind bars since 12.08.2019 and no useful purpose would be served by keeping the petitioner behind bars.

On the other hand, learned State counsel while opposing the grant of regular bail to the petitioner has not been able to controvert the

fact that the petitioner as well as the prosecutrix had indeed approached this Court by way of CWP No.16761 of 2019 for protection of life and liberty. He on instructions from ASI Suresh Kumar submits that 3 out of 17 prosecution witnesses including the victim and her mother have been examined.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is behind bars since 12.08.2019 and the trial is unlikely to conclude in the near future, no useful purpose would be served by keeping the petitioner in custody. In the circumstances, present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

07.02.2020

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