

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

**CRM-M No.2393 of 2020
Date of Decision.04.02.2020**

Abhishek		...Petitioner
	Vs	
State of Haryana		...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Ms. Mahima Yashpal, AAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

1. The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.130 dated 30.11.2018 under Sections 376, 452, 354-D, 506 IPC registered at Police Station Women, Ambala.

2. Learned counsel for the petitioner would contend that the petitioner had been allowed regular bail by the Court below, which got cancelled on an application having been filed by the complainant. It is contended that there is no evidence available on the record that the petitioner herein had misused the concession of bail. Merely because he had gone to the same petrol station to fill in petrol where the prosecutrix was working, would not tantamount to misusing the concession of bail. There was no contact of the petitioner herein with the prosecutrix and there was no threat extended to her. He further points out that entire complaint is based on account of the fact that the petitioner had refused to marry the prosecutrix, even though they had been in relationship at some point of time.

3. Per contra, learned counsel appearing on behalf of the respondent-State opposes the bail application, however, she is not in a position to point out any circumstance where the concession of bail was misused by the petitioner either by extending any threat to the petitioner or having made any physical contact with her.

4. I have heard learned counsel for the parties.

5. Considering the fact that no specific incident is pointed out by the counsel appearing for the State to make out a case that the petitioner had misused the concession of bail granted to him, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate, with a further stipulation that the petitioner herein would not go to the same petrol pump where the prosecutrix is working or try to make out contact of any kind with her. However, any observation made herein is not to affect the merit of the case.

(JAISHREE THAKUR)
JUDGE

February 04, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No