

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

Crl. Misc. No. 15541 of 2020 in/and
Crl. Misc. M-9045 of 2020
Date of decision: 21.07.2020

105

Imran

....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Talim Hussain, Advocate,
for the applicant-petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

(Proceedings are conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

Crl. Misc. No. 15541 of 2020

The present application has been filed for pre-ponement of the
main case from 01.09.2020.

Keeping in view the averments made in the application and that
the petitioner is in custody since 21.01.2020, the application is allowed.

Hearing of the main case is preponed from 01.09.2020 to today.

Crl. Misc. M-9045 of 2020

The petitioner seeks regular bail in a petition filed under
Section 439 Cr.P.C. in FIR No. 349 dated 18.08.2019 under Sections 323,
307 and 506 IPC registered at P.S. Ferozpur Jhirka, District Nuh, Mewat.

Counsel for the petitioner submits that the complainant is the
wife of the petitioner namely Sakila. The FIR has been lodged after two

days of the incident. The allegations are that the petitioner had tried to strangle her with the help of Imran, Noordeen and Fakhru and the rope had been put around her neck with intention to kill her. It is submitted that as per the FIR itself, the marriage took place 8-9 years back and there is another FIR bearing No. 490 of 2018 registered and the same had been compromised in the Panchayat.

It is submitted that in pursuance of the said FIR, one acre of land as such had also been transferred in the name of Aryan, the son of the married couple. The present FIR is only to exert more pressure since the petitioner has 4.5 acres of land in the revenue estate of Sakras, which the complainant has an evil eye upon. It is further submitted that the other co-accused have been exonerated by the investigating agency and they have been put in column no. 2 of the challan. Therefore, the petitioner is entitled for the grant of regular bail since he has been in custody for the last 6 months and the whole case of the prosecution would fall flat.

Keeping in view the above and the fact that the investigation is complete and the charge has been framed on 18.03.2020 and it is primarily a matrimonial dispute, this Court is of the opinion that the petitioner is entitled for the benefit of regular bail. The trial of the case is likely to be delayed in view of the Covid-19 situation and no useful purpose would be served by keeping the petitioner in custody.

Accordingly, the petition is allowed. The petitioner be released on regular bail to the satisfaction of the Illaqua/Duty Magistrate, Nuh at Mewat.

21.07.2020

shivani

Whether reasoned/speaking

Whether reportable

(G.S. SANDHAWALIA)
JUDGE

Yes/No

Yes/No