

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

CRM-M-37699-2020(O&M)

Date of decision : 23.11.2020

Vivek Tyagi

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Gaurav Tyagi, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present second petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short, 'CrPC') for grant of interim/regular bail to the petitioner in FIR No.43 dated 16.08.2019 under Sections 376, 506 and 34 of the Indian Penal Code, 1860, registered at Police Station Section 32-33 Karnal, District Karnal.

The only contention raised by the learned counsel for the petitioner is that earlier the petitioner had refused to marry the Prosecutrix only under pressure from his parents and that now he is willing to marry the Prosecutrix.

Learned counsel for the State has pointed out that the petitioner had earlier filed a petition for anticipatory bail vide CRM-M No.40354 of 2019. The matter was referred to Mediation during the pendency of the said petition. However, the anticipatory bail petition was eventually dismissed

vide order dated 05.12.2019. It was noticed in the said order that the

petitioner had resiled from his statement that he would marry the complainant and his marriage was already fixed for 7.12.2019.

The present statement which has been made by learned counsel for the petitioner that the petitioner is willing to marry the Prosecutrix does not inspire confidence especially in view of him having resiled from a similar statement earlier. On 14.10.2020 this Court had passed a detailed speaking order in CRM-M No.9090 of 2020 whereby the first regular bail petition of the petitioner was dismissed. No new ground has been urged or shown by learned counsel for the petitioner for grant of regular bail to the petitioner.

In view of the above, the present petition is, accordingly, dismissed.

It is, however, made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

23.11.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO