

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

CRM-M-55252 of 2019 (O&M)
Date of Decision: January 09, 2020

Vikram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Abhimanyu Batra, Advocate
for the petitioner.

Ms. Trishanjali Chopra, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.95 dated 06.08.2019, under Section 323, 34,494, 498-A, 506, 420, 467, 468 of Indian Penal Code (later on added Sections 420, 467, 468 of Indian Penal Code), registered at Police Station Women Jind.

Learned counsel for the petitioner contends that the petitioner herein, who is the husband of the complainant, was taken into custody in the aforesaid FIR on 03.10.2019. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that in fact, the matter was settled between the parties and both the petitioner and the complainant

have filed a petition under Section 13-B of Hindu Marriage Act. In the said petition filed under Section 13-B of Hindu Marriage Act, first motion statement of both the parties were recorded on 06.05.2019 wherein the complainant has categorically stated *she has received all dowry articles, Istridhan and permanent alimony of Rs.2,50,000/- from petitioner and so, nothing is due against the petitioner* and the matter was adjourned for 07.11.2019 for second motion statement. It is submitted that before the second motion statement, the complainant moved an application 31.07.2019 before the Family Court, Jind, in order to withdraw her first motion statement while making false allegations. It is also contended that investigation is complete, as the challan has already been presented and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigation Officer, opposes the grant of regular bail to the petitioner, however, does not dispute the fact that investigation is complete and challan has already been presented.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 03.10.2019 and that investigation in the matter is complete, as the challan has already been presented, no useful purpose would be served in keeping the petitioner behind the bars. At this stage, without commenting on the merits of the case, 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.

January 09, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No