

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

234

CRM-M-5445-2021(O&M)

Decided on : 03.09.2021

MANISH KUMAR

....Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)

PRESENT: Mr. Satwant Singh Rang, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG Punjab
assisted by ASI Gurdeep Singh.

Mr. Vishal Sharma Vasudev, Advocate
for the complainant.

MANJARI NEHRU KAUL, 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.50, dated 02.04.2019 under Section 498-A, 406, 313, 354-A and 120-B of the IPC registered at Police Station City Hoshiarpur, District Hoshiarpur.

Learned counsel submits that on account of matrimonial discord between the parties, the FIR in question was got registered by the complainant not only against her husband i.e., the petitioner but also against her parents-in-law and brother-in-law. Learned counsel submits that even qua the physical assault as well as the pills which were allegedly administered to the complainant, as a result of which her pregnancy got terminated, there was no medical evidence in support of the same. He submits that the petitioner has been in custody since 24th January 2021 and there is no likelihood of the trial concluding any time in the near future,

hence he be extended the concession of bail.

Per contra, learned State counsel assisted by learned counsel for the complainant on instructions from ASI Gurdeep Singh has opposed the prayer and submissions of the learned counsel for the petitioner by urging that only challan stands presented and the case has not yet been committed to the Court of Sessions. Learned State counsel has however not been able to controvert the submissions made by the learned counsel for the petitioner that there was no medical record to support the allegations of physical assault allegedly carried out on the complainant or the miscarriage of the pregnancy of the complainant.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case to extend the concession of bail to the petitioner, as the trial is unlikely to conclude in the near future. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything contained in this order shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

September 03, 2021

S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>