

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

**103+214**

**CRM-M-10755-2021 (O&M)  
Decided on : 05.04.2021**

Mustaque Ahmed

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

**(Through Video Conferencing)**

PRESENT: Mr. Deepender Singh, Advocate  
for the petitioner(s).

Ms. Tanushree Gupta, DAG, Haryana.

Mr. Saksham Arora, Advocate  
for applicant-respondent No.2 (complainant).

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**MANJARI NEHRU KAUL, J. (Oral)**

**CRM-10451-2021**

Annexure C-1 (true copy of affidavit of complainant/respondent No.2) filed along with the application is taken on record, subject to all just exceptions. Office to tag the same at appropriate in case file.

CRM stands disposed of.

**CRM-M-10755-2021**

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 08.12.2020, under Sections 313, 376, 506 IPC (later on deleted Section 313 IPC), registered at Women Police Station, Panchkula (Haryana).

Learned counsel for respondent No.2 (complainant) submitted that as per the affidavit duly sworn in by the complainant, which has been placed on record as Annexure C-1, wherein, it has been stated that the complainant and the petitioner had been in live-in relationship for five years, however, later some misunderstandings and differences arose between the parties. He has also drawn the attention of this Court to the

compromise deed 29.12.2020 (Annexure P-2), wherein, also the complainant and the petitioner have reiterated that due to some misunderstandings, the complainant had got the FIR in question registered against the petitioner.

It has been submitted that now since the differences between the parties have been ironed out, the petitioner may be extended the concession of regular bail.

*Per contra*, learned State counsel while opposing the prayer and submissions of learned counsel for the petitioner, has submitted that the challan stands presented in the case in hand and the charges are likely to be framed on the next date of hearing i.e. 28<sup>th</sup> April, 2021. She has, however, feigned ignorance about the compromise so arrived at between the parties.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that petitioner has been in custody since 30<sup>th</sup> December, 2020, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. 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 observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**April 05, 2021**

*J.Ram*

*Whether speaking/reasoned:*      *Yes/No*  
*Whether Reportable:*              *Yes/No*