

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.19679 of 2020 (O&M)

Date of Decision: February 17, 2021

Rahul

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Shiv Kumar, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Ivan Singh Khosa, Advocate,
for respondent No.2.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.36 dated 03.02.2018, under Sections 354, 376 and 506 IPC, 1860, registered at Chhansa Police Station Faridabad.

Learned counsel for the petitioner has invited the attention of the court to the order dated 07.08.2020, whereby the petitioner was ordered to be released on bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate and the case was adjourned to assess whether the complainant is living happily with the petitioner. The said order reads as under:-

“This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case bearing FIR No. 0036 dated 03.02.2018 under Sections 354, 376, and 506 of IPC, Chhansa

Police Station Faridabad.

Learned counsel for the petitioner submits that the matter has been compromised. The petitioner and respondent. No. 2 solemnized the marriage on 10.06.2020 and living happily with each other and the said compromise also reduced into writing on 15.06.2020.

Learned counsel for respondent No. 2 is also not disputing it. Keeping in view compromise effected between the parties, this Court feels that there is no need to detain the petitioner any longer and the petitioner is ordered to be enlarged on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

Adjourned to 17.02.2021 to assess whether the complainant is living happily with the petitioner.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner appeared before the trial court and furnished the requisite bail bonds, which were accepted. According to him, petitioner and the complainant are living happily. This fact is not disputed by the learned counsel for the complainant.

In view of the above, the order dated 07.08.2020 is made absolute.

The petition is allowed.

February 17, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No