

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

**CRM- 22555-2021 in/and
CRM-M- 24300-2021 (O&M)**
Date of Decision: 19.08.2021
(Heard through VC)

Saddam

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G. C. Shahpuri, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Namit Khurana, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

CRM- 22555-2021

The instant application has been filed for preponing the date of hearing of the case which is fixed for 16.09.2021.

For the reasons mentioned therein, the application is allowed.

The hearing of the case is preponed from 16.09.2021 and is taken up for hearing today.

CRM-M- 24300-2021

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 91 dated 05.05.2021

registered under Sections 323, 354, 498-A, 506 IPC and Section 4 of the Muslim Women (Protection of Right on Marriage) Act, 2019 and Sections 376, 377, 511 IPC added later on, registered at Police Station Buria, District Yamuna Nagar.

Learned counsel for the petitioner contends that he is the brother-in-law of the complainant as his brother is married to the complainant. It is argued that initially the FIR was got registered against the petitioner alleging that the complainant had been subjected to kicks and fist blows but subsequently made an improvement that the petitioner herein had molested her. It is further argued that in fact the matter has been compromised between the parties and the complainant would have no objection in case the regular bail is allowed to the petitioner. Since the trial is likely to take some time to conclude, therefore, the custody of the petitioner would no longer be required.

Learned counsel for the respondent-State, on instructions from the Investigating Officer opposes grant of regular bail to the petitioner while pointing to the seriousness of allegations levelled against him, however, he does not dispute the fact that the matter has been compromised between the parties.

Learned counsel appearing for the complainant admits to the factum of the compromise and does not oppose the grant of regular bail to the petitioner while submitting that the husband of the complainant has already been allowed bail by the Courts below on the basis of compromise.

I have heard learned counsel for the parties and have also perused the paper book. The trial is likely to take some time to conclude

owing to present COVID-19 pandemic situation. The matter is stated to have been compromised between the petitioner and the complainant. In the aforesaid facts and circumstances of the case, no useful purpose would be served in keeping the petitioner behind the bars any longer. The instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of adequate personal/surety bonds to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

19.08.2021

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(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No