

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

216+107

**CRM-M No. 29924 of 2021(O&M)
Date of decision :28.09.2021**

Manish Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Amit Gupta, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

HARNARESH SINGH GILL, J.

CRM-30041-2021

This is an application under Section 482 Cr.P.C for placing on record the documents as Annexures P-6 to P-8, and for exemption from filing typed copies thereof and permission to place on record certified copies of the same.

For the reasons mentioned in the application, the same is allowed and Annexures P-6 to P-8 are taken on record.

CRM-M No. 29924 of 2021

Prayer in this petition is for grant of regular bail in case FIR No. 80 dated 13.05.2020 registered under Sections 376 (2) (n), 354-D and 506 IPC at Police Station Partap Nagar, District Yamuna Nagar.

Status report by way of affidavit dated 23.09.2021 of Deputy Superintendent of Police, Bilaspur, District Yamuna Nagar, filed on behalf of respondent-State, through e-mail, is taken on record.

Learned counsel for the petitioner states that the petitioner and the complainant had liking for each other; that they had been good friends for 3 to 4 years; that the relationship between them was consensual; that even at one stage, both had been ready to solemnize marriage with each other, but the parents of the complainant did not agree, due to their being from different castes and that now the marriage of the complainant has been solemnized with someone else. It is further pointed out by learned counsel for the petitioner that during investigation, the prosecution agency has failed to collect any video or photograph(s), alleged to have been clicked and/or threatened to be made viral by the petitioner. The prosecutrix/complainant was examined as PW-3 on 19.08.2021. Out of 17 prosecution witnesses, 3 witnesses have already been examined. The petitioner has been in custody since 20.06.2020. Moreover, Ram Pal, Rishi Pal, Parveen and Shubham, were found innocent, during investigation.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel has stated that though the prosecutrix has been examined, yet the allegations against the petitioner that he had threatened the complainant to make her video and photograph(s) viral, are very serious in nature and, therefore, the petitioner does not deserve the concession of regular bail.

I have heard the learned counsel for the parties.

It is a case in which the petitioner and the complainant had liking for each other and they had been good friends for 3 to 4 years and that at one stage, both were even ready to solemnize marriage with each other. The petitioner has been in custody since 20.06.2020. No useful purpose, thus, would be served by keeping the petitioner behind the bars. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial is unlikely to

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

28.09.2021
Rajeev (rvs)

(HARNARESH SINGH GILL)
JUDGE

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