

215.

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

CRM-M-33898-2021 (O&M)

Date of Decision: 30.09.2021

VIJAY KUMAR

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Anshumaan Dalal, Advocate,
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

Mr. Sawan Chaudhary, Advocate,
for the complainant.

JAISHREE THAKUR.J (Oral)

CRM-30139-2021

Application is allowed, as prayed for.

Affidavit of complainant, dated 11.09.2021 (Annexure P-7) is
taken on record.

CRM-M-33898-2021

The instant petition has been filed under Section 439 Cr.P.C. for
grant of regular bail to the petitioner in case FIR No.105, dated 28.04.2021,
registered under Sections 376(2), 506 of IPC, at Police Station Safidon,
District Jind.

Learned counsel for the petitioner herein would contend false implication while submitting that the petitioner and the complainant were in a relationship as would be evident from the reading of the FIR itself. It is contended that in fact the wife of the petitioner had arrayed the complainant as a party in proceedings initiated by her under Sections 323, 341, 352, 497, 498-A, 506, 34 of IPC, Police Station Safidon. Apart from the fact that the parties were in a relationship, the matter now stands compromised as would be evident from the affidavit (Annexure P-7) filed by the complainant herself.

At this stage, appearance has been caused by Mr. Sawan Chaudhary, Advocate, on behalf of the complainant, who would submit that the complainant would have no objection in case regular bail is allowed to the petitioner.

Learned State counsel, on instructions from ASI Subhash, would submit that the matter has been investigated and the challan presented.

I have heard learned counsel for the parties.

In view of the fact that the matter stands investigated and the prosecutrix herself has no objection to the regular bail being allowed to the petitioner, no useful purpose would be served in keeping him behind the bars any longer.

Accordingly, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty

Magistrate. However, any observation made herein shall not be construed to be an expression of opinion on merits of the case.

CRM-30140-2021

Since the main petition itself has been disposed of, the present application has become infructuous and dismissed as such.

(JAISHREE THAKUR)
JUDGE

30.09.2021

sanjeev

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