

CRM-M-319-2022

Date of decision: 24.01.2022

CHETAN AHLAWAT

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Ankit Bishnoi, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Parveen Sharma, Advocate
for the complainant.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic)*

VIVEK PURI, J. (ORAL)

Custody certificate of the petitioner has been circulated through email
today and the same is taken on record.

Chetan Ahlawat-petitioner is seeking regular bail in the case bearing
FIR No. 522 dated 22.09.2021, under Sections 323/377/406/498-A/506/313 (now
deleted) IPC, registered at Police Station Sampla, District Rohtak.

Briefly, the FIR has been registered on the basis of statement of
Meenu alleging that her marriage was solemnized on 28.06.2020. There are
allegations to the effect that the petitioner and the co-accused had been raising
demand of Rs.10 Lakhs for a car. She was being treated as un auspicious for the
family. The petitioner had been forcibly making unnatural relations with her under
the influence of liquor and an attempt was also made to kill her by suffocating her
with a pillow.

Learned counsel for the petitioner contends that the offence under

Section 313 IPC has been deleted. The petitioner had himself surrendered before the police, his custodial interrogation is over, his mother has been granted pre-arrest bail by the Court of Sessions and his sister has been found to be innocent.

Learned State counsel on instructions of ASI Neelam, has not assailed the aforesaid factual aspect but the bail application has been opposed by him and learned counsel for the complainant on the score that the investigation of the case is still pending.

As per custody certificate, the petitioner is in for the last one month and 6 days. It is a case of matrimonial dispute. The custodial interrogation of the petitioner is over and he has been remanded in judicial custody. The conclusion of investigation and trial is likely to take sometime and no fruitful purpose would be served by detaining the petitioner in further custody.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

24.01.2022
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(VIVEK PURI)
JUDGE

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