

234 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13724-2022

Date of Decision: 12.05.2022

VARUN SEHGAL

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Talim Hussain, Advocate,
for the petitioner.

Mr. Karan Sharma, Deputy Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

Custody certificate has been placed on record.

Through instant petition, the petitioner is seeking regular bail in case bearing FIR No.146 dated 14.11.2021 under Sections 498-A/354/376/511/377/323/406/506/34 IPC, registered at Woman Police Station, Faridabad.

The FIR has been registered on the basis of the statement of the complainant alleging that her marriage was solemnized with Sumit Sehgal, the brother of the petitioner on 11.12.2019. The FIR has been registered against the petitioner, the husband of the complainant and eight other relatives. There are allegations with regard to outraging the modesty, unnatural act, subjecting the complainant to cruelty and misappropriation of dowry articles etc. The allegations against the petitioner are to the effect that he had outraged the modesty of the complainant, made some sexually coloured remarks, forcefully removed her clothes including the undergarments and touched her inappropriately.

Learned counsel for the petitioner contends that the statement of the complainant under Section 164 Cr.P.C. has also been recorded wherein she has levelled allegation to the effect that the petitioner had touched her inappropriately and even touched her private parts. Furthermore, he had called her prostitute. Significantly, the allegations with regard to sexually coloured remarks and removal

of clothes etc. have not been specified therein. Out of 10, 08 accused have been granted pre-arrest bail and the husband of the complainant has been released on bail by the Illaqa Magistrate. Investigation of the case is complete and challan has been presented in the Court.

The bail application has been mainly resisted by the learned State counsel on the score that there are specific allegations levelled against the petitioner.

It is significant to note that the petitioner is in custody for a period of 02 months and 05 days and all other accused except the petitioner are on bail. The FIR has been registered on account of matrimonial dispute between the brother of the petitioner and the complainant. There is some discrepancy with regard to the version as put forth in the FIR and the statement under Section 164 Cr.P.C. The genuineness of the rival allegations is to be adjudicated during the course of trial. The investigation of the case is complete, challan has been presented in the Court and conclusion of trial is likely to take some time. In such circumstances, no fruitful purpose would be served by detaining the petitioner behind the bars.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without commenting anything on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

12.05.2022
smriti

(VIVEK PURI)
JUDGE

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