

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

223-A

CRM-M-31656-2021 (O&M)

Date of Decision: 26.04.2022

PARDEEP

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Surender Singh, AAG Haryana.

Mr. Rahul Makkar, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.344 dated 29.04.2021, registered under Sections 109, 115, 116 IPC and Section 120-B IPC (added later on), at Police Station Kharkhoda, District Sonipat.

Status report by way of an affidavit dated 03.12.2021 of the Assistant Superintendent of Police, Kharkhoda, Sonipat, filed on behalf of the respondent-State, in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that the marriage of the petitioner with Seema was solemnized on 06.12.2020 and that, on the basis of a secret information that the petitioner is going to kill his wife, a raid was conducted and the petitioner along with other accused persons were arrested and life of Seema was saved. He further submits that there

is no litigation, of any kind, between the husband and wife and both of them are happily residing together. Still further, it is submitted that, in compliance of the order dated 07.12.2021, passed by a Coordinate Bench of this Court, Seema had appeared before the learned Magistrate on 21.12.2021 and got recorded her statement with regard to the compromise dated 18.11.2021 effected between her and her husband and that the petitioner has been in custody since 30.04.2021.

Pre contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel, does not dispute the custody period of the petitioner. He, however, submits that the petitioner in connivance with the co-accused hatched a conspiracy to eliminate Seema, who was travelling on a Scooty on the day of occurrence.

Learned counsel for the complainant does not dispute the factum of compromise effected between the petitioner and his wife.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 30.04.2021. A compromise has already been effected between the parties and they are residing happily together as husband and wife. Seema has also got recorded her statement with regard to the compromise before the learned Magistrate. There is no litigation pending between the parties. The trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of both the sides,

the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

26.04.2022

Aman Jain

Whether speaking/reasoned

Whether reportable

(HARNARESH SINGH GILL)

JUDGE

:

:

Yes/No

Yes/No