

[216] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28625-2023
Date of Decision : 08.11.2023

Sonu Gulia ...Petitioner

versus

State of HaryanaRespondent

Coram : **HON'BLE MR. JUSTICE VIVEK PURI**

Present : Mr. Punit Malik, Advocate for the petitioner.
Mr. Ranvir Singh Arya, Addl. AG, Haryana.

VIVEK PURI, J. (ORAL)

[1] The petitioner is seeking regular bail in case bearing FIR No.496 dated 20.12.2022 under Sections 201, 323, 341, 354-D, 365, 506, 34 IPC and Section 25 of the Arms Act, registered at Police Station Urban Estate, District Rohtak.

[2] Custody certificate dated 28.08.2023 has been taken on record.

[3] Briefly, as per the allegations, the complainant had been taking coaching of wrestling at Rohtak for the last 05 years. The petitioner had been harassing her and pressurizing to solemnize marriage. On 19.12.2022, the complainant along with the friend was going on scooty to drop her friend and in the way a car overtook the scooty. The complainant and her friend were given beatings and thereafter the complainant was made to sit in the car at gun point. She was given beatings for about 20 minutes and left near by the Rajiv Gandhi Stadium.

[4] Learned counsel for the petitioner contends that the petitioner and the complainant were in live-in-relationship as can be made out from the photograph (Annexure P-1). The complainant was also having relationship with another person by the name of Rinku Gulia. On 19.12.2023, the petitioner had caught them on the scooty. An altercation took place between the petitioner and Rinku Gulia and the present case has been lodged on the basis of false allegations. There is no medical evidence to indicate that the complainant had sustained any injury. Even no gun has been recovered during the course of investigation. The petitioner is in custody for a period of 07 months and 10 days and is not involved in any other case. The investigation of the case is complete and the challan has already been presented in the Court. The offences are triable by the Court of Judicial Magistrate, Ist Class.

[5] Learned State counsel, has opposed the bail application on the score that the occurrence has been recorded in the CCTV camera and further more the statement of the complainant is yet to be recorded in the trial Court. It has been further submitted that the next date of hearing in the trial Court is 05.04.2024.

[6] The petitioner is in custody for a period of 07 months and 10 days. The investigation of the case is complete and the challan has already been presented in the Court. The offences are triable by the Court of Judicial Magistrate, Ist Class. There is no medical evidence to substantiate the allegations with regard to beatings. The complainant was allegedly taken in a car and thereafter left after a period of about 20 minutes. The next

date of hearing in the trial Court is stated to be 05.04.2024. The conclusion of trial is likely to take some more time and no fruitful purpose would be served by detaining the petitioner in further custody.

[7] As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

[8] The petition is allowed.

(VIVEK PURI)
JUDGE

08.11.2023
'Rajneesh'

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