

222

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

CRM-M-41078-2023

Date of Decision:12.10.2023

Sanjeet Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

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

Mr. Naveen Kumar Sheoran, DAG, Haryana.

Mr. Pranshul Dhull, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.564 dated 26.07.2023, under Sections 436 and 506 IPC registered at Police Station Azad Nagar, District Hisar.

2. It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 27.07.2023 and the investigation of the case has already been completed and now challan has also been presented before the competent Court. He further submitted that as per the allegations, the complainant, who is the wife of the petitioner had levelled allegations that the petitioner has been physically and mentally harassing the complainant and he is also addicted to alcohol and gambling and had also given some instances in the FIR and thereupon the petitioner was arrested. He further

submitted that in fact after the aforesaid incident the matter has been amicably settled between the petitioner and the complainant i.e. the wife of the petitioner and regarding which a separate affidavit has been filed vide Annexure P-4 dated 29.08.2023 and which has been duly sworn in before the Executive Magistrate. He further submitted that as per the affidavit filed by the complainant, the matter has been settled between the husband and wife and therefore, no useful purpose will be served in case the further custody of the petitioner is continued.

3. On the other hand, Mr. Naveen Kumar Sheoran, learned DAG, Haryana submitted that it is correct that the petitioner is in custody since 27.07.2023 and after completion of the investigation, the challan has been presented before the competent Court.

4. Mr. Pranshul Dhull, Advocate has caused appearance on behalf of the complainant and stated that it is correct that after the lodging of the FIR, the matter has been compromised between the complainant and the petitioner because it was basically a matrimonial dispute and the affidavit which has been attached by the petitioner as Annexure P-4 is correct.

5. I have heard the learned counsels for the parties.

6. It is a case of matrimonial dispute and the allegations were that the petitioner was physically and mentally harassing the complainant. The investigation of the case has already been completed and vide Annexure P-4, which is so verified from the learned counsel for the complainant that the matter has been settled between the husband and the wife, and therefore, this Court is of the view that no useful purpose will be served in case the custody of the petitioner is continued.

7. In view of the above, this Court deems it fit and proper to grant regular bail to the petitioner. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

12.10.2023
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |