

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

CRM-M No.15655 of 2015
Date of decision: 19th May, 2015

Rahul Verma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Rakesh Nehra, Advocate
for the petitioner.

Mr. Deepak Sabharwal, Addl. Advocate General, Haryana.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Rahul Verma in this regular bail application are that he under threat had forced the prosecutrix to undergo marriage with him. The prosecutrix who is aged around 23 years and is serving in a Private Company at Gurgaon alleges that after this fake marriage petitioner has been raping her against her wishes.

Contentions of learned counsel for the petitioner Mr. Rakesh Nehra that the petitioner as well as the prosecutrix both are major and have voluntarily undergone the marriage, and has placed reliance upon the marriage certificate (Annexure P1),

photographs (Annexure P2) and has submitted that it was subsequently under the influence of her family the present case has been lodged against the petitioner who is in custody since 02.02.2015. As a semblance of opposition learned State counsel on instructions from SI Dalbir Singh, Police Station City Bahadurgarh, District Jhajjar has submitted that in her statement under Section 164 Cr.P.C. before the Magistrate the girl has levelled allegations against the boy of having taken undue advantage of her peculiar circumstances.

However, without adverting onto the merits of the case, admittedly the prosecutrix and the petitioner are major and prima-facie there is evidence of marriage between them apparently against the wishes of the family and even from medical evidence by way of Annexure P4 no apparent case of rape is made out. Moreover, the trial is not likely to conclude in the near future and in view thereof this Court is of the opinion that no useful purpose will be served by keeping the petitioner behind the bars in the present set of circumstances. Accordingly, he is ordered to be released on regular bail to the satisfaction of the trial Court.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 19, 2015

rps