

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

CRM-30305 of 2015 in/and

CRM-M-24317 of 2015

Date of Decision: October 13, 2015

Tinku Pahal

....Petitioner

Versus

State of Haryana.

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Vikas Bhardwaj, Advocate
for the applicant/petitioner.

Mr.Sushil Gautam, DAG, Haryana.

Rajan Gupta, J (Oral)

CRM-30305 of 2015

This is an application for amendment in the head note of the petition. For the reasons stated in the application, same is allowed. Necessary amendment be carried out.

CRM-M-24317 of 2015

This is a petition under Section 439 Cr.P.C for grant of regular bail in a case registered under Section 506 IPC and Section 6 of POSCO Act at Police Station, City Panipat, District Panipat vide FIR No.296 dated 21.3.2015. Sections 376(2) and 452 IPC added later on.

Learned counsel for the petitioner contends that from a perusal of FIR, it is clear that there was element of consent in the entire episode. Besides, both the petitioner and complainant are living together at present.

Learned State counsel has affirmed the contention that petitioner and complainant are cohabiting.

Keeping in view the entire facts and circumstances of the case, I am of the considered view that no useful purpose would be served by detaining the petitioner any longer. The trial may take long time to conclude. Thus, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to be released on bail to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate, Panipat.

(Rajan Gupta)
Judge

October 13, 2015
BB