

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

**Crl. Misc. No.M-21980 of 2016
Date of decision : 09.08.2016**

Avtar Singh

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. P.S. Sekhon, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, AAG, Punjab.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No.55 dated 24.04.2016, registered under Sections 376, 120-B IPC, Police Station Sadar Sangrur, District Sangrur.

Learned counsel for the petitioner contends that the petitioner was arrested on 05.05.2016 and investigation is over and challan has been filed and charge has been framed and it was a case of consent and the girl was major.

The allegations made by the complainant were that the petitioner had promised marriage and had entered into a relationship and later on was avoiding her. The complainant also named the petitioner's sister and uncle to be involved in the conspiracy.

The counsel states that talks of marriage were going on but thereafter, the family refused and the prosecutrix has given an affidavit in his favour.

The correctness of the affidavit is not to be gone into at this stage. There is no material to show that the girl was minor. The trial Court will have to consider whether it was a case of consent. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate.

09.08.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No