

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

**CRM-M No.42546 of 2016
Date of decision: 02.12.2016**

Ajay Shukla

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amit Parashar, Advocate
for the petitioner.

Mr. Sharad Kumar Yadav, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

Petitioner Ajay Shukla has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 36 dated 20.06.2016, registered under Sections 323, 376, 380 and 506 of the IPC at Police Station Women Police Station, Panchkula.

Counsel for the petitioner contends that the petitioner herein is a student of Commerce whereas the complainant herein, aged about 39 years, is a teacher in the Government College where the petitioner was studying. In fact a relationship had developed between them for the last two years and during that time no such complaint had been made. It is also contended that the challan has been presented as well as chargesheet framed and since the relationship was consensual in nature, the allegations as made out are not sustainable.

Notice of motion.

Mr. Sharad Kumar Yadav, DAG, Haryana, has appeared on behalf of respondent-State and contested the bail application.

I have given my thoughtful consideration to the arguments raised. Keeping in view the fact that the petitioner has been in custody since 23.06.2016 and no further recoveries are to be made from him, with the trial likely to take some time to conclude, no purpose would be served in keeping the petitioner in judicial custody furthermore.

Therefore, keeping in view the facts and circumstances of the present case and without expressing any opinion on the merit of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the tune of ₹1,00,000/- to the satisfaction of Chief Judicial Magistrate/learned trial Court concerned.

While granting regular bail to the petitioner, it is made very much clear that the petitioner shall not circulate or upload any objectionable image/video etc. on the social sites or through any other medium nor he shall influence or intimidate the complainant in any way. In case, the petitioner does so, the regular bail granted today shall automatically vacated.

Petition stands disposed of.

December 02, 2016

Ansari

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

No