

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-5353 of 2016

Date of decision : 18.02.2016

Vishal Bansal

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Ms. Harsimrat Rai, DAG Punjab

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 125 dated 26.11.2015 registered at Police Station Sadar Rupnagar, District Rupnagar under Sections 376, 506 IPC.

Learned counsel for the petitioner contends that the complaint is by a married lady with three children and claims that she had developed intimacy with the petitioner over 3 years ago and it was a case of consent and the investigation is over and challan has been filed. He further contends that the complaint had revealed that her in-laws and husband came to know about their relationship and they had decided to end their relationship but again the complainant met the petitioner and was taken to a hotel. She has made allegations of rape.

The complainant is married woman and has three children. She had admitted to a relationship with the petitioner for over 3 years. The investigation is over and challan has been presented. The trial will take time, the Court have to consider whether the case would fall under any provisions of Section 375 IPC and whether there was resistance or assent.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

February 18, 2016

**(ANITA CHAUDHRY)
JUDGE**