

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-6052 of 2016

Date of decision : 24.02.2016

Lalit Kumar

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Chetan Bansal, Advocate for the petitioner

Mr. K.S. Aulakh, AAG Punjab

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 160 dated 27.09.2015 registered at Police Station Sadar Amritsar, District Amritsar under Sections 376 and 506 IPC.

Learned counsel for the petitioner contends that the complainant was a married lady who had opened a Saloon after the death of her husband in 2011. The allegations are that she had employed the petitioner in 2012 on a salary of Rs. 4000/- and the petitioner was taking care of the Gents Saloon while the complainant was looking after the Ladies Saloon. He further contends that the complainant admitted to physical relationship with the petitioner and the allegations are that threats were given by him and he had prepared a blue film and wanted to spoil her reputation and a case under Section 376, 506 has been registered. He further contends that the complainant is 34 years old and she was into a relationship with the petitioner for 1 ½ years and they have placed on record photographs to show that they had gone to watch a movie together in the month of August 2015. He further contends that challan had been presented and evidence had started and one witness had already been examined.

The factual position was disputed by the State counsel. It was stated that only the investigation was over.

The matter was taken up again.

Learned counsel for the petitioner has placed on record the daily status report as well as the zimni order passed on 16.02.2016 to show that one witness was examined and the case was adjourned for 25.02.2016.

Considering the allegations the trial Court will have to examine whether it was a case of consent or otherwise which may take time. 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 24, 2016

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**(ANITA CHAUDHRY)
JUDGE**