

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.4980 of 2017

ORDER:

A request is made for grant of regular bail, under Sections 437 & 439 of the Code of Civil Procedure, 1973, by the petitioner who is the sole accused in Cr.No.203 of 2017 on the file of the Balanagar Police Station, Cyberabad, Ranga Reddy District, who alleged to have committed offences punishable under Sections 376(1), 417, 420 and 506 of the Indian Penal Code.

Heard Dr. Challa Srinivasa Reddy, learned counsel for the petitioner and the learned Additional Public Prosecutor for the State of Telangana.

The main ground urged by the learned counsel for the petitioner is that, while pursuing their education, the victim/de-facto complainant came in close acquaintance with the petitioner and later it turned out to be a love affair and they proceeded further by entering into relationship and ultimately when the petitioner said to have refused to marry the victim/de-facto complainant, she lodged a complaint, and, therefore, the learned counsel would submit that there was consent and, on account of the same, petitioner is entitled to grant of bail. It is his submission that petitioner has been in remand for more than a month after having been remanded on 28.05.2017 and sent for judicial custody.

The learned Additional Public Prosecutor would strongly resist the request on the ground that investigation is under progress and it is not a case where the petitioner can be enlarged on bail.

When looked at the fact situation, the initial acquaintance led to love affair, then turned out to be a relationship between the petitioner and the

victim/de-facto complainant. Certainly, when love affair does not fructify on account of refusal by the petitioner and turns out to be a frustrated affair, the crime cannot be viewed in the context of consent being given. Therefore, there is no merit in the present petition as the crime committed is heinous one.

Hence, the criminal petition is dismissed. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

A. SHANKAR NARAYANA, J

July 3, 2017
MRR

