

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-12846 of 2017

Date of Decision: 07.7.2017

Gaurav Kumar

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Ms. Deipa Singh, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 17 dated 3.2.2017 registered at Police Station Kalka, District Panchkula under Sections 376, 506 IPC.

Counsel for the petitioner contends that the complainant is major and the allegations are that the petitioner had entered into a relationship on the false promise of marriage and got married in January 2017. It was urged that a complaint was given on 21.1.2017 which was withdrawn the same day and the complainant has been disowned by her family. The counsel refers to Annexure P-4. The counsel further submits that the investigation is over and challan has been filed and the petitioner is in custody for almost five months.

The prosecution will have to prove that the case falls under any of the clauses of Section 375 IPC. Investigation is over. Challan has already been presented. The trial will 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 local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate with the condition that the petitioner would not tamper with evidence nor would contact the prosecutrix or her family.

(ANITA CHAUDHRY)
JUDGE

July 07, 2017
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No