

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

CRM-M-34874-2017 (O&M)
Date of decision : 09.10.2017

Sandeep

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. I.S. Pabla, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana,
assisted by ASI Rajesh Kumar.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.134 dated 16.03.2017, registered under Sections 328, 342, 366, 376D and 506 of the Indian Penal Code and Section 25 of the Arms Act, at P.S. City, Bahadurgarh.

Contentends that the prosecutrix being major, married and mother of two children, willingly accompanied the petitioner. At the asking of the prosecutrix, the petitioner arranged a rented accommodation. The statement of the landlord of the said premises, namely, Sanjay, was recorded, wherein, it has come out that the prosecutrix and the petitioner projected themselves as a married couple and stayed there for one month as husband and wife. Further states that as per the allegations, the prosecutrix was taken to Delhi on the pretext of getting her a job, however, there is no reference that she ever informed her husband or any other family member/relative before leaving or that she was forcible removed from her residence.

This factual aspect to the extent that the petitioner is major and did not raise any protest is not being controverted by learned State counsel.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

09.10.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No