

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

CRM M-39137 of 2017 (O&M)

Date of Decision: 15.12.2017.

Sonu @ Sunil Banga

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Aman Pal, Advocate,
for the petitioner.

Mr. Arun Kumar, AAG Haryana
assisted by ASI Sulekh.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438

Cr.P.C seeking anticipatory bail in case FIR No. 44 dated 18.09.2017

registered under Sections 376 and 506 IPC at Police Station Woman,

Hisar.

On 10.11.2017 this Court had passed the following

order:-

“Heard.

The petitioner is directed to join the investigation.

Post again on 15.12.2017.

Meanwhile, in the event of arrest of the petitioner by the

Arresting Officer, he shall be released on interim bail subject

to the following conditions:-

1.That he shall make himself available for interrogation by a
police officer as and when required;

2.That he shall not directly or indirectly make any inducement,
threat or promise to any person acquainted with the facts of

the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

3. That he shall not leave India without prior permission of the Court.”

It is contended that in pursuance of the order dated 10.11.2017, the petitioner has joined the investigation. It is further contended that the complainant is a divorcee and raised similar allegations against her father-in-law and registered an FIR No.71 dated 26.03.2012 registered under Sections 323, 342, 376, 511, 498-A and 506 IPC at Police Station Civil Line, Kaithal which was subsequently compromised. The complainant being a mature person was a consenting party.

On the other hand, the learned State counsel, on instructions, though acknowledges the factum of joining the investigation, however submits that the petitioner under the false pretext of getting married to the complainant had sex with her for seven long years. Nothing is to be recovered from the petitioner.

In view of above, the order dated 10.11.2017 passed by this Court is made absolute, subject to furnishing of bail-bonds/surety bonds by the petitioner to the satisfaction of the CJM/Duty Magistrate concerned.

The petition stands allowed.

15.12.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No