

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

Criminal Misc. No.M- 6324 of 2017(O&M)

Date of Decision: May 16 , 2017.

Daljit Singh PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. R.S.Rai, Senior Advocate with
Mr. Kavish Midha, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

Mr. Sushil Jain, Advocate
for the complainant.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.4 dated 11.01.2017 under Sections 376/506 IPC registered at Police Station Women, Yamuna Nagar, District Yamuna Nagar.

It is contended that no offence punishable under Sections 376/506 IPC is made out against the petitioner as the complainant and the petitioner were, admittedly, in a consensual relationship for the past six years. It is a case of a relationship turned sour. A bare reading of the FIR itself reveals the falsity

of the same. It is submitted that the petitioner has joined investigation pursuant to order dated 06.04.2017. He undertakes to join investigation as and when required. Therefore, it is prayed that this petition be allowed.

Learned counsel for the complainant opposes this petition. However it is not denied that the petitioner and the complainant were known to each other and in a relationship for the past six years though it is submitted that this was due to a false promise of marriage held out by the petitioner.

Learned counsel for the State, on instructions from SI Kusum Bala, submits that the petitioner has joined investigation and he is not required for custodial interrogation. It is affirmed that the petitioner is not involved in any other criminal case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 06.04.2017 is made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

May 16 , 2017.
'om'

(LISA GILL)
JUDGE

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