

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

**CRM-M-12027 of 2018 (O&M)
Date of Decision: 16.04.2018**

Pankaj

....Petitioner

Versus

State of Haryana and another

.....Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. H.S. Dhindsa, Advocate
for the petitioner(s).

Ms. Mahima Yashpal, AAG, Haryana
assisted by ASI Navneet.

Mr. Rajesh Dhankar, Advocate
for the complainant.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No.681 dated 26.10.2017 registered at Police Station Sonipat under Sections 120-B/313/323/328/377/406/498-A/506 of IPC.

Learned counsel for the petitioner contends that the petitioner is in custody since 22.12.2017 and investigation is over and challan has been presented and the case has been committed to the Sessions. He also urges that the complainant is educated and is a Doctor and she had called the Police on 15.10.2017 and a DDR was entered and she was found to be normal and the report is available as Annexure P-7. Counsel further submits that the marriage lasted just for 4 months and after the complainant returned to her parents's house, she made allegations that something was

administered to her which led to an abortion and there is no medical to indicate that any examination was carried out on that day and whether it was forced or whether she was administered any poison and the child got aborted on account of medical reasons. The counsel further submits that the trial would take time.

There is no medical record of the day on which the alleged abortion took place. The complainant did not make any allegations on 15.10.2017 when the police came to her house. After the girl returned to the matrimonial home, those allegations were levelled which will have to be proved by the prosecution at the trial.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

April 16, 2018

ps-I

**(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No