

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

**CRM-M-21520-2017
Date of decision: 23.02.2018**

Amit Bishnoi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Harish Mehla, Advocate,
for the petitioner.

Mr.P.P. Chahar, DAG, Haryana.

Mr. Mohit Rana, Advocate, for
Mr. Gopal Sharma, Advocate,
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This Court was pleased to pass the following order on
04.07.2017 :-

“This criminal petition has been filed seeking concession of pre-arrest bail in FIR No. 22 dated 10.05.2017, under Section 376 of Indian Penal Code, registered at Women Police Station, Panchkula.

*Learned counsel for the petitioner contends that the prosecutrix is a major and was not induced in any manner, whatsoever, to enter into a relationship with the petitioner. In this regard reliance has been placed on the judgment rendered by the Hon'ble Supreme Court in **Uday vs. State of Karnataka, 2003(2) R.C.R. (Criminal) 99** to buttress his argument that a person would not be held guilty of rape on account of being involved in a physical relationship on the pretext of marriage. It is*

further contended that no recoveries are to be made from him and he is ready to join investigation.

Adjourned to 06.11.2017.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned counsel for the respondent-State confirms the factum of joining investigation by the petitioner.

Since the petitioner has joined the investigation, the petition is allowed and interim order dated 04.07.2017 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

23.02.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.