

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

CRM-M-26482-2018 (O&M)

Date of Decision: 03.10.2018

Amardeep Singh @ Gori

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Jasvir Singh Dhaliwal, Advocate
for the petitioner(s).

Mr. Jagmohan Ghumman, D.A.G., Punjab.

Mr. Jitenderpal Singh, Advocate
for the complainant.

ANITA CHAUDHRY, J

Petitioner is seeking regular bail in FIR No.34 dated 25.04.2016, registered under Sections 366, 376, 342, 506, 34 IPC at Police Station Sadar, Bathinda, District Bathinda.

Learned counsel for the petitioner contends that the petitioner is in custody since 07.04.2018 and the victim is an adult and it was a case of consent and she had lived with the petitioner for over 2 months and the FIR had been lodged after a delay of 4 months.

Counsel for the complainant has placed on record the order passed in the application filed for anticipatory bail and states that the petitioner is a married man and he had enticed the unmarried girl and she was kept concealed for 2 months.

A perusal of the order dated 30.01.2018 shows that the wife of the petitioner had lodged a report that her husband had run away with unmarried girl. The victim is unmarried but an adult. She remained with the petitioner for two months. The petitioner is not a divorcee. It is stated that he had filed a petition seeking divorce.

The petitioner is in custody since 07.04.2018. The victim is major and remained with the petitioner for almost 2 months. The FIR was lodged after a delay of 4 months. Trial is taking time. Without commenting anything on the merits of the case, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing surety and adequate bail bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate with a condition that the petitioner would not get in touch with the prosecutrix or her family in any manner.

October 03, 2018*ps-I***(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No