

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

Crl. Misc. No.M- 37275 of 2018

Date of decision : 04.09.2018

Amit Kumar Kamal

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Achin Gupta, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

Mr. Shiv Charan Singh Chahal, Advocate
for the complainant.

ANITA CHAUDHRY, J.(ORAL)

The petitioner is seeking regular bail in FIR No. 32 dated 30.06.2016, registered under Sections 376/493 IPC, Women Police Station, Bathinda, District Bathinda.

Counsel for the petitioner contends that the petitioner and the complainant are married and due to temperamental differences the prosecutrix left the society of the petitioner. Counsel says that the prosecutrix was in relationship with another person and she had exchanged number of phone calls with him and the petitioner used to object to this and she had lodged the FIR. Counsel further says that the prosecutrix had admitted in her statement that she had not met the petitioner after

14.06.2016 but as per the chemical examiner's report spermatozoa was detected in her vaginal swabs which was taken on her medical examination on 02.07.2016.

The trial will take long time to conclude. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court subject to the condition that the petitioner will not get in touch with the prosecutrix or her family or tamper with evidence.

04.09.2018
sunil

(ANITA CHAUDHRY)
JUDGE

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