

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

**CRM M-51178 of 2018**

**Date of Decision: November 27, 2018**

Beeru

.....Petitioner

Versus

State of U.T., Chandigarh

.... Respondent

**CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present : Mr. J.S. Dadwal, Advocate  
for the petitioner.

**FATEH DEEP SINGH, J. (Oral)**

Heard.

Notice of motion.

On the asking of the Court, Mr. Gautam Dutt, Additional Public Prosecutor for U.T.Chandigarh accepts notice.

The brief facts brought to the notice of the Court are that the prosecutrix, who is unmarried aged 27 years was in a relationship with the petitioner, who too is a bachelor aged 25 years for the last more than two years and during that period, they had physical relations as well and when the petitioner is alleged to have started ignoring her, the present case has been got registered.

Mr. J.S. Dadwal, learned counsel for the petitioner has contended that the petitioner is behind the bars for almost three months and own affidavit of the prosecutrix placed on record as Annexure P-1 is suggestive of the fact that it is out of some misunderstanding, the present case has been got registered and that it

was a consensual relationship.

Learned Additional Public Prosecutor for U.T. Chandigarh has sought to oppose the application on the grounds of heinousness of the offences and seriousness of the allegations and submits that if the petitioner is allowed bail, the petitioner may influence the witnesses.

Appreciating the submissions of the two sides, it is own admitted stand of this grown up lady, who is mature enough to understand the affairs of this world that she consented to this relationship and her affidavit placed on the record Annexure P-1, which could not be controverted by the learned Additional Public Prosecutor that there is no allegation of forced physical relationship. More so, the own affidavit of the prosecutrix Annexure P-1 undermines the case of the prosecution. The petitioner is behind the bars since long time and further detention of the petitioner is not necessitated. Investigation and trial are not likely to be concluded in near future.

Accordingly, without adverting to the merits of the case, the petitioner is ordered to be released on regular bail to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate, Chandigarh.

**November 27, 2018**  
**amit rana**

**(FATEH DEEP SINGH)**  
**JUDGE**

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No