

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220

CRM-M-13265-2019

Date of Decision:02.04.2019

Vivek Rana

.....Petitioner

Versus

The State of U.T., Chandigarh

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

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

Mr. J.S. Toor, Addl. P.P.,
for U.T., Chandigarh.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.411 dated 21.11.2018 under Section 376(2) IPC, registered at Police Station Sector-36, Chandigarh.

Learned counsel for the petitioner states that the aforesaid FIR was registered at the behest of complainant-Nisha Chauhan, wherein she has admitted relationship with the petitioner. The petitioner and the prosecutrix visited various places and physical relations were established between them, but he has argued that the relationships if any were consensual. It is the case of the prosecutrix that the petitioner has established physical relations and kept on promising that he will marry with her. He has referred to the affidavit dated 01.03.2019 (Annexure P-2) submitted by the prosecutrix, wherein she has stated that due to misunderstanding between her and the

petitioner, the aforesaid FIR was registered. But now the misunderstanding is over and the prosecutrix is not inclined to initiate any legal proceedings against the petitioner.

Learned State Counsel appearing on behalf of U.T., Chandigarh on instructions from ASI Mahender Singh does not dispute the affidavit (Annexure P-2) so furnished by the prosecutrix. He further states that a quashing petition on the basis of compromise i.e. CRM-M-12375-2019 has been filed which is pending for 12.04.2019.

Heard learned counsel for the parties.

Admittedly, the prosecutrix has submitted in the affidavit (Annexure P-2) that physical relations were established on the promise made by the petitioner that he will marry with the prosecutrix and considering the judgment passed by the Hon'ble Apex Court in case **Dr. Dhruvaram Murlidhar Sonar Versus State of Maharashtra and others, 2019 (1) R.C.R. (Criminal) 675**, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

April 02, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No