

227.

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

CRM-M-20876-2019

Date of decision:13.05.2019

VIKAS KUMAR ROY

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Surinder Sharma, Advocate,
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.37 dated 22.03.2019 registered under Section 376 of IPC at Police Station Division No.8, Jalandhar.

Counsel for the petitioner has argued that the petitioner is in custody since 11.04.2019. He states that the incident relates to July, 2014 when the petitioner had allegedly taken the prosecutrix in his room at Model Nagar, Jalandhar and on the pretext of marrying her, he developed physical relation with her. The complainant had stayed for 2/3 days with the petitioner in a rented room. He has further argued that the prosecutrix was already married, having two sons and this fact was totally concealed from the petitioner. She has not taken divorce in the case. Thus, the marriage of

the complainant subsists. In this manner, rather the petitioner has been victimized. The allegation of extracting money from the complainant is false.

Learned State counsel, on instructions from ASI Salwinder Singh, does not dispute the custody. He has argued that the petitioner contacted with the prosecutrix through 'facebook' and developed relations with her on assurance of solemnize marriage.

I have heard learned counsel for the parties.

The petitioner is in custody since 11.04.2019. The incident relates to July, 2014 whereas the FIR was registered on 22.03.2019. Considering the fact that the FIR was registered at such a belated stage, this Court deems it appropriate to admit the petitioner on bail on this consideration alone.

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

It is made clear that the present petition is confined only for bail and the observations made hereinabove shall not be construed as an expression on the merits of the case.

(HARI PAL VERMA)
JUDGE

13.05.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No