

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

CRM-M-21655-2019

Date of decision : 18.10.2019

Aaqir Aslam Thoker

.... Petitioner

Versus

U.T. of Chandigarh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Saurabh Dalal, Advocate
for the petitioner.

Mr. Rajeev Anand, Addl. P.P. U.T. Chandigarh.

Complainant-respondent No.2 in person with
Mr. Sankal, Advocate.

GURVINDER SINGH GILL, J (ORAL)

1. The petitioner has approached this Court seeking grant of regular bail in a case registered against him vide FIR No.59 dated 17.03.2019 under Section 376 of IPC, registered at Police Station I.T. Park, Chandigarh.
2. The FIR was registered at the instance of respondent No.2-Ankita, wherein it has been alleged that he knew the petitioner for last about 5 years and they were also having physical relationship and that although the petitioner had held out a promise to marry her, but he was backing out of the same.
3. Learned counsel for the petitioner submitted that the FIR came to be lodged under some misunderstanding which has now been resolved and that the petitioner as well as the complainant have solemnized marriage and that the parties have also agreed to get the FIR quashed in view the

compromise and regarding which a separate petition, i.e. CRM-M-24077-2019 has already been filed. The afore stated position is not disputed by learned counsel for the complainant.

4. Learned State counsel has informed that in the present case, investigation has completed and challan has already been filed and that the veracity of the allegation can only be established by holding a trial.
5. Having considered rival submissions addressed before this Court and the fact that the parties are stated to have amicably resolved their issues and have in fact solemnized marriage, custodial interrogation is not warranted.
6. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned Illaqa Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

18.10.2019

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No