

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-31826-2019 (O&M)
Date of Decision:-1.10.2019

Manoj Kumar

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manish Soni, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.117 dated 14.9.2018 at Police Station Women, Sector 51, District Gurugram under Sections 376(2)(n), 377, 406, 506 and 34 of Indian Penal Code.
2. Mr. Devender Arya, Advocate has today put in appearance on behalf of the complainant and has filed *Vakalatnama*, which is taken on record.
3. The FIR was registered at the instance of Payal, wherein it has been alleged that she got acquainted with the petitioner through internet about a year ago and that the petitioner one day came to her house and forcibly established physical relations with her. It is alleged that later he continued having physical relations with her while holding out promise of marrying her. It is alleged that, however, accused despite having established physical relations with her did not marry her and in fact also took away her gold ornaments.

4. The learned counsel for the petitioner has submitted that it is a case where the petitioner and the complainant were in a live-in-relationship and that it was later on account of some misunderstandings that the FIR came to be registered and that the said misunderstandings have now been resolved and the complainant has no objection for grant of bail. The learned counsel, in this regard has also referred to the affidavit (Annexure P-3) furnished by the complainant, wherein it has been deposed that she does not wish to pursue further with the case.
5. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. It has further been informed that as on date 8 PWs out of the cited 15 PWs already stand examined and that the prosecutrix also stands examined.
6. The learned counsel for the complainant has categorically submitted that the complainant, who is also present in person in Court, who has been identified by ASI Poonam, who is also present in Court, does not have any objection for grant of bail.
7. In view of the aforesaid position, wherein I find that the petitioner has been behind bars since the last more than one year and that the complainant has no objection for grant of bail, the petition is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

1.10.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No