

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

CRM-M No.35252 of 2019

Date of decision: 13th November, 2019

Aman Dogra

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Sumeet Puri, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab
for the respondent/State.

Victim in person along with
Mr. H.S. Mann, Advocate.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Aman Dogra in this first regular bail application under Section 439 Cr.P.C. in case bearing FIR No.161 dated 29.05.2019 under Sections 363, 366, 376 IPC pertaining to Police Station Division No.8, Ludhiana have been levelled by complainant, father of a girl aged around 24 years. It is alleged that on 27.05.2019 around 10:30 a.m. the girl left home for going to the beauty parlor and subsequently when she never returned and could not be traced out it was discovered that the accused petitioner has enticed her on the pretext of getting married, leading to registration of the present case.

Learned counsel for the petitioner Mr. Sumeet Puri, Advocate inter alia contends that the girl had accompanied the petitioner on her

own sweet will, without any coercion and that a false case has been registered as it was a consensual relationship and the petitioner is behind bars since 09.06.2019.

On behalf of the State, Ms. Sakshi Bakshi, Assistant Advocate General, Punjab on instructions from SI Shish Pal, Police Station Division No.8, Ludhiana, though has not disputed the facts brought before this Court but has vehemently opposed the grant of bail on the grounds of heinousness of the offence and seriousness of allegations.

During the course of interaction, the victim girl who has come present before this Court and has been identified by her counsel Mr.H.S. Mann, Advocate, has stated that she does not object to grant of the bail to the petitioner as they have settled the dispute with each other, and has also filed her duly sworn attested affidavit to that effect.

Appreciating the arguments of the two sides, petitioner is behind bars since a long time. The girl has filed her duly sworn attested affidavit to the effect that she does not have any objection if the relief is granted. In view thereof and the fact that the trial will take a long time to conclude, this Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

November 13, 2019
rps

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