

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

CRM-M-36772-2019 (O&M)

Date of Decision:- 6.9.2019

Parveen Goyal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vipin Chander, Advocate, for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Parveen Goyal, seeks grant of regular bail in a case registered vide FIR No.969, dated 14.12.2018, registered at Police Station City, Sonapat, under Sections 341, 354, 376(2)(N), 506 IPC.
2. The FIR was registered at the instance of the prosecutrix wherein it has been alleged that she is studying in DC Jain College of Nursing, Sonapat, and she often used to visit the shop of the accused to get her mobile phone recharged and became friendly with him. It is alleged that the petitioner represented that he wished to marry the prosecutrix and loved her and took her to a hotel in order to discuss the prospects

of marriage where he established physical relations with her against her consent. It is further alleged that even subsequently, the accused had physical relations with her against her consent several times. Later the complainant came to know that in fact the accused was already married and in fact was having two children. It is also alleged that subsequently the accused also used to blackmail the complainant while holding out threats of uploading photographs on social media.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that the present case is a case where the complainant is a matured lady aged 25 years and had established consensual physical relations with the accused out of her own free will as would also be evident from her statement recorded in Court during the proceedings of the trial. Learned counsel in this regard has referred to the said statement annexed with the petition as Annexure P-4, wherein the complainant has categorically stated that they had developed physical relations willingly and that the accused had never committed rape upon her.
4. Opposing the petition, the learned State counsel has submitted that since the allegations in respect of molestation has not been denied by the prosecutrix when she stepped into the witness box, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court. Bearing in mind the nature of allegations and also the statement made by the prosecutrix in the Court, and also the fact that the statement of

prosecutrix already stands recorded, in my opinion further detention of the petitioner would not serve any useful purpose. The petition, as such, is accepted and it is ordered that petitioner-Parveen Goyal be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

6. The petition is accepted accordingly.

September 6, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No