

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

CRM-M-44289-2019 (O&M)  
Date of Decision:-8.11.2019

Munish Bajaj ... Petitioner

Versus

State of Punjab ... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Ashok Giri, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

\*\*\*\*\*

**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.120 dated 5.9.2019 at Police Station Division No.7, District Jalandhar under Sections 376, 420 and 506 of Indian Penal Code.
2. The FIR was lodged at the instance of Monika Rani aged 19 years, wherein it has been alleged that Munish Bajaj (petitioner) is known to her since the last one year and he had developed physical relations with her while assuring her that he would marry her. It is alleged that later he has, however, backed out from his promise to marry her and has thus cheated her and is now even issuing threats to her.

3. The learned counsel for the petitioner has submitted that the prosecutrix is a major and even if the contents of the FIR are taken to be correct, still it is evident that it is a case where the prosecutrix had been having consensual physical relations with the petitioner. The learned counsel for the petitioner has submitted that he had never held out any promise of marrying the prosecutrix but subsequently on account of some differences having arisen between them, the prosecutrix has chosen to lodge the present FIR.
4. On the other hand, the learned State counsel has submitted that since it is a case where the petitioner had established physical relations with the prosecutrix while holding out a false assurance of marrying her, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Admittedly, the prosecutrix is a major. It will certainly be debatable as to whether the consent for physical relations was given by the prosecutrix under some deception or not. In any case, since it has been informed by learned State counsel that investigation has concluded and challan already stands presented, further detention of the petitioner will not serve any useful. The petition, as such, is accepted and it is ordered that the petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

**8.11.2019**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No