

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217

CRM-M-51705-2019

Date of Decision:18.12.2019

Rajesh Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Kanwaljeet Singh Derabassi, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab,
for respondent No.1.

Ms. Anu Bala Garg, Advocate,
for respondent Nos.2 to 4.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.0222 dated 14.08.2019 under Sections 376, 506 IPC and Sections 4, 8 & 9 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Dera Bassi, District SAS Nagar, Mohali.

Power of attorney filed on behalf of respondent Nos.2 to 4 today in the Court, is taken on record.

Learned counsel for the petitioner refers to whatsapp chats between the petitioner and the prosecutrix, to contend that they were known to each other, remained in relationship and wanted to solemnize marriage.

He also refers to the statement of the prosecutrix recorded under Section

164 Cr.P.C. dated 15.08.2019, Annexure P-7, wherein the prosecutrix has stated that she became friend of the petitioner in January 2019 and they were in love. They had physical relations and such relations were consensual. They wanted to get married. He states that petitioner is in custody since 14.08.2019.

Learned State Counsel does not dispute the custody period.

Learned counsel for the complainant has no objection in the event of grant of regular bail to the petitioner as the prosecutrix is going to solemnize marriage with the petitioner.

In view of the stand taken by learned counsel for the complainant and petitioner is in custody since 14.08.2019, coupled with the fact that trial is not likely to be concluded in the near future, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

December 18, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No