

In virtual Court

CRM-M-27189-2020

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27189-2020 (O&M)

Date of decision: 04.11.2020

Karan Sharma

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rahul Sharma, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

Mr. Amitabh Tewari, Advocate
for respondent No.2.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.61 dated 25.08.2020 under Section 376(2)(N) IPC, registered at Police Station Women, District Gurugram.

While granting interim bail to the petitioner, following order was passed by this Court on 01.10.2020: -

“...Learned counsel for the petitioner submits that as per the allegations in the FIR, the complainant has stated that the petitioner, on the promise of marriage, has established physical relation with complainant at various hotels from August, 2017 till

03.03.2020.

Learned counsel further submits that the marriage of complainant, on two occasions with Manmeet Tuteja and Vicky V. Galrani, could not materialize and by way of decree of divorce by mutual consent, dated 02.01.2017 and 06.03.2020, both the marriages were annulled. It is, thus, argued that as per the FIR, the petitioner and complainant had physical relation last time on 03.03.2020 i.e. three days before the grant of decree of divorce of the complainant with her husband Vicky V. Galrani, therefore, it is not the case of rape as it was in fact a case of consensual physical relation.

Learned counsel for the petitioner further submits that matter stands duly compromised between the parties and relies upon Annexure P-4 (Settlement agreement) and Annexure P-6 (photocopy of a cheque), in this regard.

Learned State counsel, assisted by learned counsel for the complainant, has not disputed the compromise effected between the parties...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from SI Meena, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In virtual Court

CRM-M-27189-2020

-3-

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 01.10.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

04.11.2020

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**[ARVIND SINGH SANGWAN]
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No