

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

(Proceedings through Video Conferencing)

CRM-M-9530-2021

Date of Decision : 18.08.2021

Rahul Sharma

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vivek Salathia, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Vineet Sharma, Advocate
for the complainant.

MANJARI NEHRU KAUL (Oral)

Prayer in the present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.0008 dated 12.01.2021, registered under Section 376 IPC, at Police Station A-Division, District Amritsar.

Learned counsel for the petitioner submits that it was a case of consensual relationship between the petitioner and complainant and on account of some misunderstanding the FIR in-question came to be lodged against the petitioner. He submits that the petitioner has been in custody since 13.01.2021 and there is no likelihood of the trial concluding in the near future.

Per contra, learned State counsel, while opposing the prayer of the learned counsel for the petitioner, on instructions from ASI Bharat

Bhushan has apprised this Court that the charge stands framed. He further submits that it is a case wherein the petitioner allegedly established physical relations with the prosecutrix for almost four years on the pretext of solemnizing marriage with her.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 13.01.2021, the present petition is allowed. The petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

18.08.2021
mamta

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No mamta