

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

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**CRM-M-36407-2021
Date of decision: 07.10.2021**

SACHIN

.....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Abhinav Sood, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana
for respondent No. 1 -State.

Mr. Jagdeep Singh, Advocate
for Mr. Baljeet Beniwal, Advocate
for respondent No.2- complainant.

SANT PARKASH, J. (ORAL)

Prayer in this petition under Section 439 of the Code of Criminal Procedure, 1973 (for short, "the Cr.P.C") is for grant of regular bail to the petitioner, in case, FIR No. 179 dated 17.08.2021 registered under Sections 363, 366, 376 (2) (n) of the Indian Penal Code, 1860 at Police Station Women, NIT Faridabad District Faridabad.

Brief facts of the case are that the petitioner and complainant had developed friendly relations with each other. One day in the month of December, the petitioner took the complainant from her house on the pretext of meeting her with his parents. The petitioner instead of taking the complainant to his home took her to hotel and

made physical relations with her against her wishes and kept giving her assurance of marriage. The petitioner repeatedly made physical relations with complainant due to which the complainant became pregnant. The complainant gave birth to a child. The petitioner assured the complainant that he will accept the child and will perform marriage with the complainant. On 29.07.2021, the complainant alongwith her child went to the house of petitioner, then the petitioner threw her out of his house and also not performed any marriage with the complainant.

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has argued that both the complainant and petitioner were having love affair and were in live in relationship and during this time complainant became pregnant. Both the parties have resolved their differences and have decided to marry each other and they both have submitted their affidavits in this regard. The petitioner is in custody since 18.08.2021. Trial is likely to take long time due to restrictions imposed to prevent spread of infection of Covid-19. No useful purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel opposed the submissions of learned Counsel for the petitioner.

Having considered the facts and circumstances of the case, but without expressing any opinion on the merits of case, the petition is allowed and the petitioner-Sachin is ordered to be released on regular

bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

07.10.2021

kavneet singh

**(SANT PARKASH)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No