

**105+220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**



**CRM-36419-2024 IN/&
CRM-M-29974-2024 (O&M)
DATE OF DECISION : 11.11.2024**

SACHIN VERMA @ SACHIN KUMAR .. PETITIONER
V/S
STATE OF HARYANA .. RESPONDENT

Present: Mr. Vikas Kumar, Advocate for the petitioner.

Mr. Amrik Singh Narwal, D.A.G., Haryana.

* * *

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1. The application of the petitioner for placing on record the certified copy of the deposition of complainant-PW-1 is allowed and the same is taken on record as Annexure P-4, subject to all just exceptions.

2. Registry to tag the same at the appropriate place.

Main case

1. The instant petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No. 103 dated 21.08.2023 under Section 376(2)(n) IPC (offences under Sections 376, 506 and 120-B IPC have been deleted and offence under Section 376(2)(n) IPC has been added), registered at Police Station Women, Faridabad, District Faridabad.

2. Custody certificate dated 10.11.2024 reflecting the custody of

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the petitioner as 11 months and 10 days has been taken on record.

3. I have heard the counsel for the parties and perused the paper-book.

4. The prosecutrix was already married and even the divorce petition is stated to be pending *inter se* the prosecutrix and her husband. The allegations against the petitioner are that he had committed rape upon the prosecutrix by taking her to various hotels and promised her to solemnize marriage with him. The investigation of the case is complete and final report under Section 173 Cr.P.C. has already been presented. Both the petitioner and prosecutrix are major. As per the cross-examination recorded on 31.08.2024, the prosecutrix had admitted that after her friendship with the accused after 01.09.2022, she had visited various places along with accused. She has also visited various hotels along with the accused. She admitted that she had denied for marrying the accused as many cases against her husband are pending. The prosecutrix was already married. The question of false promise for marriage by the petitioner is debatable. The conclusion of the trial is going to take time. Therefore, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court concerned.

5. Pending miscellaneous application(s), if any, shall stand disposed of.

11.11.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No