



**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

CrlM No. 1761/2022 in

Bail App No. 264/2022

Gulshan Sharma

....Petitioner/Appellant(s)

Through :- Mr. Rohit Kohli, Advocate

V/s

UT of J&K

....Respondent(s)

Through :-

Coram: HON'BLE MR. JUSTICE MOHAN LAL, JUDGE

ORDER
02.11.2022

1. Applicant has filed an application for grant of interim bail in anticipation of his arrest in FIR No. 19/2022 dated 06.07.2022 registered at Police Station, Women Cell, Gandhi Nagar, Jammu for the commission of offences punishable under Section 376 IPC on the grounds, that complainant/victim has made allegation against him that he committed rape upon her.

2. The contents of the anticipatory bail application as well as the documents annexed with the bail application depict that complainant/victim was married in Village Chack Jagtu, Tehsil Bishnah District Jammu, the accused started relation with the complainant and promised her to marry, the accused committed rape upon the complainant/victim and gave birth to a male child who is one year old under the garb of promise to marriage. It is averred that neither in the complaint filed by the complainant nor in the FIR, it has been mentioned that when the accused/applicant had developed relation with her.

3. Issue notice to the respondent for filing response. As the matter relates to promise to marriage, at this stage, applicant has carved out a case for grant of ad-interim relief of anticipatory bail in his favour. In the event of his arrest, applicant is ordered to be released on interim anticipatory bail, till next date before the Bench, subject to following conditions: -

- i. that he shall furnish bail and personal bonds in the sum of Rs. 50,000/- each to the satisfaction of the arresting officer;
- ii. that he shall not hamper the investigation and shall not associate himself with the witnesses or temper with the prosecution evidence in any manner whatsoever;
- iii. that he shall associate himself with the investigating agency as and when called;
- iv. that he shall not leave the territorial jurisdiction of this Court without prior permission.

4. List on 09.11.2022.

(Mohan Lal)
Judge

Jammu:
02.11.2022
Manan