

Criminal Misc. M- No. 3897 of 2017 (O&M)

Date of decision : March 16, 2017

Gurmeet Singh

.....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Vishal Goel, Advocate
for the petitioner.

Ms. Shivali, AAG, Punjab.

Mr. Maninder Singh Punia, Advocate
for respondent No. 2.

LISA GILL, J.

Prayer is for bail pending trial to the petitioner in FIR No. 0044 dated 15.05.2016 registered under Sections 363, 366 (A), 376 IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012 at Police Station Sadar Rajpura.

It is contended that the petitioner and the prosecutrix/victim have decided to get married as they were having friendly relations. The victim has admittedly turned 18 on 27.02.2017 and is a major. Criminal Misc.-M No. 3673 of 2017 has been filed for quashing of the abovesaid FIR, due to the fact that the petitioner and the victim are planning to get married. It is, thus, prayed that this petition be allowed.

This case was adjourned on 13.02.2017 to enable the learned counsel for the State to verify the abovesaid position.

Learned counsel for the State on instructions from ASI Nathi Ram, Police Station Sadar Rajpura verifies that the petitioner and the victim have indeed decided to get married and the above said petition for quashing of the said FIR is pending before this Court.

Mr. Maninder Singh Punia, Advocate appears on behalf of respondent No. 2. Learned counsel for respondent No. 2 affirms that respondent No.2's daughter and the petitioner are going to solemnise marriage. There is, thus, no objection to the grant of bail to the petitioner in these circumstances.

There are no allegations on behalf of the State that petitioner is likely to abscond, if released on bail. No useful purpose shall be served by keeping the petitioner incarcerated any longer.

Keeping in view the peculiar facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

March 16, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No