

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

CRM No. M-46537 of 2016

Date of decision: 21.03.2017

Raman Singh @ Ravi Kumar

..... Petitioner.

Versus

State of Punjab

..... Respondent.

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. P.P.S Duggall , Advocate, for the petitioner.

Mr. Rajpreet Singh Sidhu, AAG, Punjab.

LISA GILL, J.

The petitioner prays for grant of bail pending trial in FIR No. 33 dated 26.02.2016 registered under Sections 376 and 506 of the Indian Penal Code (for short 'IPC') at Police Station Sadar Fazilka, District Fazilka.

It is submitted that the the above mentioned FIR was registered at the behest of the complainant under immense pressure of her parents. In fact the petitioner and the complainant solemnized marriage on 05.02.2016. The complainant is residing with her in-laws family i.e. parents of the petitioner. FIR No. 44 dated 27.03.2016 was subsequently registered against the petitioner's father and his brother at the behest of the complainant's father. The complainant in a bail application preferred by the petitioner's father appeared before this Court on 07.11.2016 and stated that she was residing voluntarily at her in-laws home as she had married the petitioner. Reference is made to order dated 07.11.2016 passed in Criminal Miscellaneous No. M-25584 of 2016 (Annexure P-7). It is further submitted that Criminal Miscellaneous No. M-10926 of 2016 (Annexure P-3) has been preferred for quashing of the present FIR and the same is pending before this Court for 08.05.2017.

The complainant duly identified by HC Pritpal Singh, Police Station Sadar Fazilka, District Fazilka is present in Court. She states that her date of birth is 17.07.1997 and she solemnized marriage with the petitioner in February, 2016. She has been living with the family of her in-laws since nearly one year. She has married the petitioner out of her own free will and volition.

The petitioner is in custody since 08.03.2016. Challan/final report under Section 173 Cr.P.C has been presented. Charge has been framed against the petitioner. Keeping in view the facts and circumstances of the case noted above, no useful purpose would be served by keeping the petitioner incarcerated any longer. There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail. Therefore, without expressing any opinion on the merits of the case, it is considered just and expedient to allow this petition.

Consequently, the petitioner shall be released on bail pending trial in case FIR No. 33 dated 26.02.2016 registered under Sections 376 and 506 of the IPC at Police Station Sadar Fazilka, District Fazilka subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court.

None of the observations in this order shall be construed to be a reflection on the merits of the case and shall have no bearing on the trial.

(LISA GILL)
JUDGE

21.03.2017
PA

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