

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

**CRM No. M-8216 of 2017
Date of decision: 18.05.2017**

Sandeep Singh **Petitioner.**
Versus
State of Punjab **Respondent.**

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. D.S. Kahlon, Advocate, for the petitioner.

Ms. Shivali, AAG, Punjab.

LISA GILL, J.

The petitioner prays for grant of bail pending trial in FIR No. 0072 dated 19.10.2016 registered under Sections 376 and 420 of the Indian Penal Code (for short 'IPC') at Police Station Division No. 1, Pathankot, District Pathankot.

It is submitted that the petitioner has been falsely implicated in this case. The above said FIR, it is submitted has been registered by the complainant, who is none other but the petitioner's wife. The petitioner and the complainant solemnized marriage on 05.08.2016. It is due to certain misunderstandings which arose between the couple that the present FIR was registered against the petitioner. Reference is made to the marriage certificate, Annexure P-4 as well as the photographs of the marriage. It is further submitted that the complainant is still residing with the family of the petitioner. Therefore, this petition be allowed.

The alleged victim, the complainant, duly identified by ASI Pawan Kumar, Police Station Division No. 1, Pathankot is present in Court today. She states that marriage was indeed solemnized by her with the petitioner on 05.08.2016 and as of now she is living with her in-laws family. She further states that she has no objection in case this petition is allowed.

Learned counsel for the State on instructions from ASI Pawan

Kumar verifies the factum of the complainant living with her in-laws. It is not denied that the complainant married the petitioner in August, 2016.

Final report under Section 173 Cr.P.C. is informed to have been submitted. 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. 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. 0072 dated 19.10.2016 registered under Sections 376 and 420 of the IPC at Police Station Division No. 1, Pathankot, District Pathankot. subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court.

(LISA GILL)
JUDGE

18.05.2017

PA

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