

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

CRM-M No. 9703 of 2017(O&M)

Date of decision: 28.3.2017

Jagdhir Singh and another

....Petitioners

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Gopal Singh Nahel, Advocate for the petitioners.

Mr. Ankur Jain, AAG, Punjab.

Mr. B.S. Jatana, Advocate for the complainant.

REKHA MITTAL, J.(Oral)

The petitioners pray for grant of regular bail in FIR No.85 dated 14.08.2016 registered at Police Station Women, District Patiala, for offence punishable under Sections 376, 366(A), 366, 313, 354, 420, 323 and 120-B of the Indian Penal Code (in short 'IPC), 10 of the Child Marriage Act and 3/4 of the Protection of Children from Sexual Offences Act and 66-E of the Information Technology Act.

Counsel for the petitioners has submitted that as per the allegations raised by the complainant, she contracted marriage with Harneet Singh Ghuman on 29.07.2015 and thereafter she was maltreated and harassed by her husband, his parents and other relatives of her husband including the present petitioners for want of dowry, resulting in abortion. It is further submitted that Ramanpreet Kaur and another against whom similar allegations have been levelled were released on bail vide order dated 09.03.2017 (Annexure P-5). It is further submitted that dispute between the parties has been settled by way of compromise and in

pursuance thereof Harneet Singh Ghuman and his wife would reside together as husband and wife in a separate accommodation.

Counsel for the State concedes to the factum of dispute between the parties having been settled by way of compromise. Counsel for the State has opposed the prayer for bail on the plea that offence under Section 313 IPC is serious in nature and the prosecutrix is yet to be examined.

Counsel for the complainant has submitted that dispute between the parties has been settled by way of compromise but the terms and conditions are yet to be reduced into writing.

I have heard counsel for the parties and perused the paperbook.

Concededly, challan has been presented in the Court and trial is pending. The petitioners are no longer required for the purpose of investigation. Harneet Singh Ghuman being juvenile has been released on bail. There are no allegations against the petitioners that they are likely to flee from the process of justice, if enlarged on bail.

Without commenting upon merits of the case, the petitioners shall be released on bail subject to furnishing bail bonds to the satisfaction of the trial Court. However, they shall abide by the following conditions:-

- (i) they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him/her from disclosing such facts to the Court;
- (ii) they shall not leave India without previous permission of the Court.

MARCH 28, 2017

‘D. Gulati’

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned :
Whether reportable :

yes/no
yes/no