

**107+223 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-17942-2019 (O&M)
Date of Decision : 12.07.2019

Ranjeet Singh @ Ranjit Singh

.....Petitioner

versus

State of U.T. Chandigarh

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Aashish Verma, Advocate
for the petitioner.

Mr. Sukant Gupta, Addl.P.P.,
for the respondent-U.T. Chandigarh.

Ms. Neha Awasthi, Legal Aid Counsel
for the complainant.

FATEH DEEP SINGH, J. (ORAL)

This order shall dispose off first regular bail application under Section 439 Cr.P.C in a case bearing FIR No.71 dated 19.03.2019 filed under Section 376 (2) of the Indian Penal Code registered at Police Station South, Sector 34, Chandigarh.

The allegations against the petitioner/accused-Ranjeet Singh @ Ranjit Singh have been levelled by an unmarried lady, aged around 32 years, wherein, she alleged that during the course of life, through a common

friend, about more than one year, she came in contact with the petitioner and thereafter, they agreed to run a common business under the name and style of M/s Caring Hands Home Care Services and on account of some dispute, the complainant, earlier, filed a complaint, against the petitioner, on 23.10.2018 which was withdrawn by her and subsequently, the present case was got registered on a fresh complaint alleging that the petitioner had promised to marry her and in the process, developed physical relations and, thereafter, backed out, leading to his arrest.

Learned counsel for the petitioner submits that complainant is a grown up lady and almost 10 years' senior in age to the petitioner and had volunteered into this relationship and after the relationship went sour, the present false case has been got registered.

On behalf of the State, the learned State counsel, assisted by ASI Shaminder Singh, though does not displace the facts that have been brought to the notice of this Court but has stoutly opposed the grant of relief on the ground of seriousness of the allegations.

Appreciating the submissions, admittedly, the petitioner is a grown up and mature lady, aged around 32 years and accepts to have been in this relationship for more than one year. It is also not disputed that she had earlier filed a complaint against the petitioner which was withdrawn by her and subsequently, after a short gap, the present case has come about and the petitioner is behind the bars for almost 3 ½ months, thus, a debatable issue arises over the applicability of Section 376 of the Indian Penal Code, culpability, if any, shall be determined at the trial, this Court is of the

opinion that it would serve no useful purpose to further detain the petitioner in custody. Accordingly, he is ordered to be released on regular bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/Illaqa Magistrate of the Court concerned.

The petition stands disposed off accordingly.

12.07.2019

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No