

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-30730 of 2019
Date of Decision: 25.7.2019

Harmanpreet Singh @ Lakha

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Karanjeet Singh Brar, Advocate
for the petitioner (s).

Mr. Rana Harjasdeep Singh, DAG, Punjab.

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 439 Code of Criminal Procedure (in short, “Cr.P.C”.) for grant of regular bail to the petitioner in case FIR No.84 dated 9.8.2018 registered for the offences punishable under Sections 376, 366 of Indian Penal Code (for short, “IPC”) at Police Station Nandgarh, District Bathinda.

Heard.

It is alleged in the FIR that the petitioner along with his two friends had taken the prosecutrix in a Gurdwara where in the presence of the *Granthi*, photographs were taken with regard to their marriage and in fact, the petitioner had committed sexual intercourse with her asserting to be her husband.

While appearing before the trial court, she has categorically stated that she has married with the petitioner with her free consent and will.

restitution of conjugal rights. The prosecutrix turned hostile and failed to support the case of the prosecution, rather she has stated that she has lodged the FIR under pressure of her parents.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Harmanpreet Singh @ Lakha son of Pal Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the prior permission of the Court.

July 25, 2019

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No