

CRM-M-32435-2019

Date of Decision : 11.09.2019

Paramvir Singh

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. A.P.S. Deol, Senior Advocate with
Mr. Himmat Singh Deol, Advocate
for the petitioner.Mr. Harbir Sandhu, Asstt.A.G., Punjab
for the respondent-State.**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.134 dated 09.06.2019 filed under Sections 376, 506 and 323 of the Indian Penal Code registered at Police Station Sahnwal, District Ludhiana.

The allegations against the accused/petitioner-Paramvir Singh have been levelled by a married lady, aged around 26 years, alleging that she was employed as an Accountant in a private undertaking and during the course of her avocation, she entered into

a relationship with the petitioner and that the accused/petitioner had been forcibly under threat, being defiling her, against her wishes and subsequently, she got the FIR registered when she felt threatened that this relation would spoil her matrimonial life leading to the arrest of petitioner on 09.06.2019.

Learned senior counsel for the petitioner has submitted that both the petitioner and the complainant, as per the FIR, were in a relationship and has tried to take support of the CD placed on the record as Annexure P-2 to hammer point the amorous relationship between the couple.

On behalf of the State, the learned State counsel, assisted by ASI Bhupinder Kumar, Police Station Sahnwal District Ludhiana, has stoutly opposed the grant of bail on the ground of seriousness of the allegations and the fact that accused/petitioner has been defiling the lady on the ground of blackmailing her by putting her obscene photographs on the internet and thus, not entitled to any relief.

Going through the submissions of the two sides and on perusal of the record, it is the own stand of the complainant that she is married and a mature lady, aged around 26 years and had been in this relationship and, therefore, a debatable issue arises over the applicability of offence under Section 376 of the Indian Penal Code which can be determined at the time of trial which is not likely to be concluded in the near future. The petitioner is behind the bars since

long time, the petition is allowed and 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/Ilalaqa Magistrate of the Court concerned.

The petition stands disposed off accordingly.

11.09.2019
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No