

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-32783-2019.

Date of decision: 10.9.2019

Ranjit Singh @ Raja

... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Avtar S. Khinda, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr.Harjinder Singh, Advocate, for
Mr.T.P.S. Mann, Advocate,
for the complainant.

HARI PAL VERMA, J (ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for the grant of regular bail in case FIR No.39 dated 8.6.2019, under Sections 376, and 506 of the IPC and Section 66 (E) and 67 (A) of Information and Technology Act, 2000, and Section 4 and 8 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station, Begowal, District Kapurthala.

Power of attorney filed on behalf of the complainant, today in the Court, is taken on record.

The aforesaid FIR was registered at the behest of the prosecutrix. As per FIR, the petitioner was residing adjoining to her house and she was having relations with him for the last three years.

The petitioner used to meet the prosecutrix at the back of her parents. He established physical relations with her on the pretext of marriage. During that relationship, the petitioner made obscene video clips and on the basis of said video clips, the petitioner compelled the prosecutrix to perform marriage, otherwise, he will upload the video clips publicly. He sent the obscene video clips and photographs to her father which disgraced her publically.

Learned counsel for the petitioner states that the petitioner is in custody since 7.7.2019 and after the registration of the FIR on 8.6.2019, the prosecutrix and the petitioner have solemnised the marriage on 22.6.2019 and in support of his contention, learned counsel for the petitioner has referred to the marriage certificate (Annexure P2) as well as photographs (Annexures P3) annexed with the petition.

Learned State counsel, on instructions from ASI Balwinder Singh, does not dispute the custody period, however, he submits that as per the School Leaving Certificate issued by the Principal of SPS Khalsa High School, Begowal, District Kapurthla, the date of birth of the prosecutrix is 28.6.1999.

Heard the learned counsel for the parties.

Considering the fact that the petitioner is in custody since 7.7.2019 and the prosecutrix and the petitioner have solemnised the marriage after registration of the case and further the counsel for the complainant, on instructions from the complainant, who is present in the Court, does not dispute the factum of marriage, this Court finds that the culpability of the petitioner is yet to be established.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

(HARI PAL VERMA)
JUDGE

September 10, 2019.
raj arora

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No