

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

CRM-M-19430-2020 (O&M)

Date of decision : 02.09.2020

Sarabjeet Singh @ Sukhwinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. L.M.Gulati, Advocate
for the petitioner.

Mr. Balbir Singh Sewak, Addl. A.G., Punjab.

Respondent No.2-Pooja in person.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No. 14, dated 14.02.2020, under Sections 376, 306, 506, 511 of Indian Penal Code and Section 4 & 6 of Protection of Children from Sexual Offence Act, 2012 registered at Police Station Majitha, District Amritsar.

During the course of hearing, the complainant along with her daughter i.e. prosecutrix and parents of petitioner, namely, Mr. Jagdish Singh and Mrs. Harjeet Kaur have appeared before this Court, who are duly identified by learned counsel for the petitioner. Learned counsel for the

decided to solemnize the marriage of the petitioner and daughter of complainant when she attains the age of majority. Learned counsel for the petitioner on instructions from Mr. Jagdish Singh states that to show his *bona fide* also has proposed to deposit ₹2 lakh in the name of daughter of the complainant, which will remain in fixed deposit and will be encashed only at the time of solemnization of marriage between the petitioner and prosecutrix i.e. daughter of complainant.

On the other hand, learned State counsel opposes the instant petition.

Heard.

Considering the fact that the matter has been compromised between the parties and the parties have mutually decided to solemnize the marriage of the petitioner and daughter of the complainant, this Court feels that further incarceration of the petitioner will not serve any useful purpose. Consequently, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds with two local sureties to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned. Necessary deposit be made before the trial Court prior to the passing of the order of release.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

02.09.2020
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(JITENDRA CHAUHAN)
JUDGE

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