

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

208

CRM-M No.24126 of 2020

DATE OF DECISION : 27th AUGUST, 2020

Harpreet Singh @ Prince

.... **Petitioner**

Versus

State of Punjab

.... **Respondent**

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present: Mr. Kunwar Rajan, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.156 dated 17.07.2020 registered under Sections 376 & 420 IPC at Police Station Canal Colony, District Bathinda.

It is contended by the counsel for the petitioner that the prosecutrix is major by age. Even as per her assertions there has been physical relationship between the petitioner and the prosecutrix for the past several years. The only allegation against the petitioner is that he maintained those physical relations by promising to marry the prosecutrix, but subsequently the petitioner backed out of the promise. It is submitted by the counsel for the petitioner that even now the petitioner is ready to perform marriage with the prosecutrix, if she so desires. The petitioner is in custody since 29.07.2020.

Notice of motion.

Mr. Ajay Pal Singh Gill, DAG, Punjab, accepts notice on behalf of the State. Mr. Sandeep Verma, Advocate has put in appearance on behalf of the complainant/prosecutrix.

The learned counsel for the State, being instructed by ASI Parkash Singh, has submitted that there are specific allegations against the petitioner qua committing rape upon the prosecutrix for a long time; with a promise to marry her. Therefore, the petitioner does not deserve any concession of bail.

Learned counsel for the complainant/prosecutrix has submitted that since the petitioner has again shown his willingness to marry the complainant/prosecutrix, therefore, the complainant does not have any objection if the petitioner is granted concession of bail.

Since the petitioner has shown his willingness to marry the complainant/prosecutrix, therefore, it would be in the interest of justice and in the interest of harmonial relations, if the petitioner is granted concession of bail.

Hence, in view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

27th AUGUST, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>