

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

**CRM-M-2268-2021 (O&M)
Date of Decision : 23.02.2021**

Sukhwinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Harpal Singh Sidhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.190 dated 01.12.2020 under Sections 376 and 506 of the IPC, 1860 registered at Police Station City Moga, District Moga, Punjab.

Learned counsel for the petitioner submits that on 12.02.2021, it was noticed by this Court that Chief Judicial Magistrate, Moga on 22.12.2020 has granted the concession of interim bail to the petitioner to perform marriage with the prosecutrix (name withheld) and had relied upon marriage certificate issued by Gurudwara Parao Sahib dated 26.12.2020. Accordingly, Station House Officer, Police Station, City Moga, Punjab was directed to record the statement of the victim regarding factum of the marriage.

Learned State counsel has filed reply by way of affidavit of Deputy Superintendent of Police (City), Moga in Court today along with the statement of the victim dated 15.02.2021, which reads as under:-

*“.... Stated that I am resident of above address and is 10+2 pass
and had also cleared diploma of Air Hostess. On the basis of my*

statement case bearing FIR No.190 dated 01.12.2020 under Sections 376 and 506 of the IPC, Police Station City Moga was registered against Sukhwinder Singh @ Sukha son of Baldev Singh resident of village Bhinder Kalan on 26.12.2020 at Gurudwara Parao Sahib, village Matwani Moga-Ajitwal Road, District Moga. I have solemnized this marriage with consent of my family members and with my own and sweet will and without any pressure. I am residing at my in-laws house at village Bhinder Kalan, happily, till now. I have got recorded my statement, heard same is correct.”

I have heard learned counsel for the parties.

Without commenting on the merits of the case and in view of the aforesaid facts, the present petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqua Magistrate, concerned.

23.02.2021

Waseem/Chetan

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No