

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

CRM-M-7928 of 2021 (O&M)

DECIDED ON: 31st MARCH, 2021

Jaskaran Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Nakul Sharma, Advocate for
Mr. M.S. Sachdev, Advocate for petitioner.

Mr. H.S. Sitta, AAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This is a petition for grant of regular bail in case of FIR No. 200 dated 30.9.2020 under Section 376 IPC, registered at Police Station Mahilpur, District Hoshiarpur.

The prosecutrix alleged that she had love affair with the accused (petitioner). Her parents married her on 5.3.2017 against her wishes with someone else. It is alleged that she was enticed by the petitioner to get divorce and to marry him. They were having physical relations. In the end of 2019 she got divorce from her husband. She had pain in the stomach for which she was administered medicine and she got infected for which she got treatment from Civil Hospital Mahilpur. Thereafter even both continued to have physical relationship. On 29.9.2020 the petitioner gave a complaint against brother of the prosecutrix that they have forcibly left her in his house. The petitioner refused to marry

the prosecutrix.

Reply dated 31.3.2021 filed is taken on record.

Learned counsel for the petitioner submits that both the parties had consensual relationship. There was no promise of marriage by the petitioner. The challan stands presented. No useful purpose would be served by keeping the petitioner behind the bars.

Learned State counsel opposes the bail and on instructions from SI Om Parkash submits that the allegations against the petitioner are serious.

Without commenting upon the merits of the case, suffice to say that the parties had relationship prior to 2017. Even as per the allegations in the FIR *inspite of* some vague statement of about stomach problem, it is forthcoming that the parties were having continuous physical relationship. *Albeit*, challan is presented, conclusion of trial is likely to take time and no recovery is to be made, the petitioner is directed to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate.

The petition is allowed.

(AVNEESH JHINGAN)
JUDGE

31st MARCH, 2021

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Whether speaking/reasoned	Yes
Whether reportable	Yes