

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-34524-2020 (O&M)

Date of Decision:- 29.1.2021

Harmanpreet Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikas Gupta, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Malkit Singh.

Mr. Vikasdeep Singh, Advocate, for the complainant.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.122, dated 11.6.2020, Police Station Bhikhiwind, District Taran Taran, under Sections 376, 506, 452, 201 of IPC and Section 4 of POCSO Act.
2. The FIR was lodged at the instance of the victim aged 15 years wherein it is alleged that one Harmanpreet Singh became her friend

when she was 13 years old and they used to meet each other. About one year ago he proposed that they should solemnize marriage but she told him that they are under age. On 8.6.2019 he took her in confidence and established physical relations with her without her consent. It is alleged that even thereafter he used to come to her house and used to rape her while issuing threats and had also clicked her photographs.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the FIR came to be lodged under some misunderstanding which has now been resolved and a compromise has been effected amongst the parties.
4. Opposing the petition, learned State counsel has submitted that since it is a case where the victim was a minor, the allegations of rape are clearly made out particularly when victim in her statement recorded under Section 164 Cr.P.C. has reiterated the allegations as levelled in the FIR. Learned State counsel has however, informed that the petitioner as on date has been behind bars since the last about 7 months.
5. Mr. Vikasdeep Singh, Advocate, who appears for the complainant and has however, stated that he has no objection for grant of bail as the differences amongst the parties have been resolved and the parties have entered into a compromise.
6. In view of the aforestated position wherein the parties are stated to have compromised and while noticing that the petitioner has been behind bars since the last about 7 months, further detention of the

petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to her furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

January 29, 2021
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No