

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 213+110

Criminal Miscellaneous No.M-23747 of 2023 (O&M)

Date of Decision: May 17, 2023

Pardeep Singh

..... PETITIONER(S)

VERSUS

State of Punjab and another

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Angel Walia, Advocate for the petitioner.

Mr. Jashandeep Singh, AAG, Punjab.

Mr. Rishab Goyal, Advocate for the complainant.

. . .

Tribhuvan Dahiya, J (Oral)

CRM-22412-2023

This is an application for placing on record certified copy of
Order dated 23.02.2023 passed in CRM-M-59014-2022 as Annexure P-13.

Application is allowed. Certified copy of Order dated
23.02.2023 is taken on record, subject to all just exceptions.

Main case

This is a petition for grant of regular bail to the petitioner in
case FIR No.441 dated 16.09.2022, registered under Sections 376, 406, 420,
120-B IPC, at Police Station Islamabad, Amritsar.

2. The FIR was lodged on the allegations that the complainant
fell in love with the petitioner in Dubai, and the latter expressed her
willingness to marry her. The two came back to India and the petitioner
introduced her to his parents, who assured that they would help the two in
getting married. On the pretext of getting married, the petitioner continued
raping her. He has also been accused of cheating the complainant by taking
her jewellery and some money, on the pretext of buying household articles

3. Learned counsel for the petitioner contends that the FIR in question was lodged on misunderstanding, and the disputes between the accused as well as the complainant have been amicably settled by way of compromise. Pursuant thereto, the two have married on 07.10.2022; the marriage certificate has been placed on record as Annexure P-2. He has also referred to an affidavit dated 20.10.2022 (Annexure P-8) sworn by the complainant in that regard. She also has stated that she does not want any action against the accused in the case.

4. Learned State counsel, assisted by learned counsel for the complainant, on instructions from ASI Jagjit Singh, do not disputes the facts aforestated. Learned State counsel submits that charges in the case have been framed on 06.05.2023, and the case is now fixed for 05.07.2023 for prosecution evidence.

5. The submissions made by learned counsel for the parties have been considered.

6. Apparently, the parties have settled all their disputes and have married also. Investigation of the case is already over and nothing is to be recovered from the petitioner. His being confined to custody during trial would not serve any purpose.

7. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of trial Court/Duty Magistrate concerned.

(Tribhuvan Dahiya)
Judge

May 17, 2023
payal

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No