

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

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**CRM-M No. 59014 of 2022
Date of Decision : 23.2.2023**

Surinder Singh @ Harjinder Singh and another

..... Petitioners

versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Umesh Aggarwal, Advocate, for the petitioners
Mr. Jashandeep Singh, AAG. Punjab
Ms. Nandini Sharma, Advocate, for
Mr. Chetan Bansal, Advocate, for the complainant

TRIBHUVAN DAHIYA J. (ORAL):

This is a petition under Section 439 Cr.P.C. seeking regular bail to the petitioners in case FIR No.441 dated 16.9.2022 under Sections 376, 406, 420 and 120-B IPC registered at Police Station Islamabad, Amritsar.

As per allegations, the petitioners, who are parents of the main accused Pardeep Kumar, have helped their son in exploiting the complainant, aged 36 years. The complainant stated that she fell in love with Pardeep Kumar in Dubai. The two came back to India and Pardeep Kumar introduced her to his parents (petitioners herein), who assured that they would help the two in getting married. On the pretext of getting married, Pardeep Kumar continued raping her. The petitioners have also been accused of cheating the complainant by taking her jewellery and some money, on the pretext of buying household articles and commercial vehicles.

Learned counsel for the petitioners contends that the allegations have been levelled on account of some frustration by the complainant. In fact, there is no issue between the petitioners and the complainant. It is further

submitted that their son Pardeep Kumar has married the complainant on 7.10.2022. Their marriage certificate is on record as Annexure P-2, which is duly supported by the complainant's affidavit dated 20.10.2022 (Annexure P-3), stating that she has married the petitioners' son and they have settled all their disputes amicably.

Learned counsel for the complainant does not dispute the fact of marriage; rather, contends that all issues between the parties stand settled.

Learned State counsel also, on instructions from ASI Jagbir Singh, submits that the fact of marriage between the parties has been verified and found to be true. It is further submitted that challan against the petitioners already stands filed, and fourteen prosecution witnesses are to be examined during trial. There is no other pending criminal case against the petitioners.

In view the fact that the parties have amicably settled the issues among them, and the petitioners' son and the complainant have even solemnized marriage, no useful purpose will be served by confining the petitioners to custody during trial, which will take long time to conclude. Besides, investigation of the case is already over.

Accordingly, the petition is allowed. The petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(TRIBHUVAN DAHIYA)
JUDGE

23.2.2023
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No