



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214+107

CRM-M-25288-2024 (O&M)
Date of decision: 30.08.2024

VANINDER PAL SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Ankur Bansal, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

HARPREET KAUR JEEWAN, J.

CRM-34403-2024

1. The present application has been filed for placing on record the copy of compromise deed dated 20.08.2024 as Annexure P-6.
2. For the reasons mentioned in the application, the same is allowed.
3. Annexure P-6 is taken on record subject to all just exceptions.
4. Office to tag the same at appropriate place.

Main case

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.11 dated 20.02.2024 under Sections 376, 420, 506 IPC registered at Police Station Rawalpindi, District Kapurthala.



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2. Custody certificate dated 29.08.2024 has been filed on behalf of the respondent-State, which is taken on record.

3. As per the FIR, the prosecutrix met the petitioner through Instagram and they became friends. Thereafter, their friendship soon turned into a love affair. The petitioner had developed physical relationship with the prosecutrix on the assurance of solemnization of marriage. The petitioner is also alleged to have taken a sum of Rs.4 lakhs from the prosecutrix.

4. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case and he is in custody since 02.03.2024. Learned counsel for the petitioner has informed that both the prosecutrix and the petitioner are major. The prosecutrix and the petitioner have effected a compromise and the compromise deed (Annexure P-6) has been duly signed by them. Investigation is complete and final report under Section 173 Cr.P.C. has been presented before the trial Court. The petitioner is ready to face trial. He further submits that the trial is going to take time to conclude, as such, prayer for releasing the petitioner on bail has been made.

5. On the other hand, learned State counsel has opposed the bail petition on the ground of gravity of allegations against the petitioner. As per the status report dated 31.07.2024, though on 27.03.2024, the Investigating Officer had taken the prosecutrix to the Civil hospital but her medical examination was not conducted as she did not agree for the same.

6. Mr. Vivek K. Thakur, Advocate has put in appearance on behalf of the complainant and filed his power of attorney, which is taken on record. He has not opposed the bail petition and has confirmed the factum of compromise between the parties.



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7. I have heard the learned counsel for the parties and perused the relevant documents.
8. Investigation is complete and the final report under Section 173 of the Code of Criminal Procedure has been presented before the trial Court. Allegations and counter allegations are matter of trial. The medical examination of the prosecutrix could not be conducted as she refused for the same. As per the custody certificate, there is no history of any other case against the petitioner. The petitioner is in custody for 05 months and 26 days and conclusion of the trial is going to take time.
9. In view of the above, the petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.
10. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
11. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

30.08.2024
P.Bhatt

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