



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

**CRM-M-64834-2024 (O&M)
Date of Decision:07.01.2025**

Baljinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr.Rahish A. Nagrath, Advocate for the petitioner.

Mr. P.S. Bhandari, AAG, Punjab.

Mr. Tushal Kakkar, Advocate for complainant.

JASGURPREET SINGH PURI J.(Oral)

1. The present petition has been filed under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in case bearing FIR No.362 dated 20.10.2024 under Section 376 of IPC, registered at Police Station City Kharar, District SAS Nagar.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been in custody for about 01 month and 21 days and although the FIR was registered on 20.10.2024, the case is still at the investigation stage. He submitted that as per the allegations contained in the FIR , the petitioner allured the complainant under the false pretext of marriage and made physical relationship with her and thereafter she became pregnant and currently the complainant is eight months pregnant. He further submitted that after the registration of the aforesaid FIR, both the families have made an



amicable settlement, along with their children and have decided to get the petitioner married to the complainant-prosecutrix, who is now eight months pregnant. He submitted that the child is also having medical complications and the doctor has also advised a cesarean operation for the delivery of the child. He further submitted that, in view of the aforesaid facts and circumstances and considering the interest of both parties who have now decided to get married immediately, the petitioner may be considered for the grant of regular bail.

3. On the other hand, learned State counsel submitted that, insofar as the custody of the petitioner is concerned, the same is correct but he has no knowledge as to whether the petitioner and the complainant have reached an agreement with each other or not.

4. Mr. Tushar Kakkar, Advocate, has filed power of attorney on behalf of the complainant and submitted that the complainant is present in Court and he identifies her. He submitted that the complainant is eight months pregnant and is facing medical complications with regard to her delivery. He also submitted that the doctor has advised a cesarean operation for the delivery of the child and now the families of both the complainant and the petitioner have decided to get them married to each other in order to secure their future and that of their child.

5. I have heard the learned counsel for the parties.

6. The custody of the petitioner has come out to be about 01 month and 21 days. As per the learned counsels for the parties, the challan has not yet been presented. Considering the aforesaid facts and circumstances, where counsel for the complainant has also appeared and stated that the complainant



is present in the Court, and both learned counsels for the parties have stated that the complainant is eight months pregnant and facing medical complications with regard to the delivery of the child and that they have now decided to get them married to each other, this Court is of the considered view that, in light of the totality of facts and circumstances and in the interest of justice, it would be just and proper to grant bail to the petitioner.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

(JASGURPREET SINGH PURI)
JUDGE

07.01.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No