

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-15054-2015 (O & M)
Date of decision:15.05.2015

Sanjeev Kumar and anr.

...Petitioner(s)

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Parvinder Singh, Advocate,
for the petitioners.

Mr. Shilesh Gupta, Addl.A.G., Punjab.

Mr. J.B.S. Gill, Advocate,
for the complainant.

Rajan Gupta, J. (oral)

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail to petitioners in a case registered against them vide FIR No.58 dated 05.04.2015 under Sections 354-B/323/506 and 34 IPC at Police Station Garhshankar, District Hoshiarpur.

Learned counsel for petitioners has argued that there is previous enmity between the parties and the petitioners have been falsely implicated at the instance of father of the girl.

Learned State counsel has, however, submits that statement of girl namely Jyoti Rani was recorded under Sections 164 Cr.P.C. wherein she clearly reiterated the version given in the FIR. According to him, allegations against the petitioners are serious.

Heard.

FIR was lodged by father of Jyoti Rani stating that his daughter had been going to college on foot. On April 1st, 2015, when

she was returning home, accused Sanjeev Kumar and Manoj Kumar came on their motor-cycle and started teasing her. They held her from her arm. Even on earlier occasions, they had been indulging in similar activities but his daughter did not disclose it out of fear. Later, a *panchayat* was held. However, petitioners and their mother caused injuries to complainant and other close relations. In her statement under Section 164 Cr.P.C., the prosecutrix clearly stated that both the accused accosted her when she was returning from college on foot. They pulled her arms and tried to drag her to their house.

Keeping in view the nature of allegations, I am of the considered view that petitioners are not entitled to concession of pre-arrest bail. Their custodial interrogation may be necessary to take investigation to its logical end.

Dismissed.

15.05.2015
sukhpreet

(RAJAN GUPTA)
JUDGE