

In the High Court of Punjab and Haryana at Chandigarh

CRM M-20313 of 2015
Date of Decision: April 29, 2015

Vicky @ Arun

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. G.S. Sandhu, Advocate,
for the petitioner.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 295, dated 23.04.2015, under Sections 323, 354-B, 506 of the Indian Penal Code, registered at Police Station Civil Lines, Karnal.

There are allegations against the petitioner that the petitioner caught hold the arm of the complainant and tried to make her sit in his vehicle. When complainant along with her mother resisted then the petitioner gave beating and torn the clothes of the complainant.

I have heard learned counsel for the petitioner.

Learned counsel for the petitioner contends that the complainant was known to the petitioner for more than 2 years and

exchanged messages on Cell Phone, besides interactions on Facebook. Learned counsel further contends that the maternal uncle of the complainant is MHC, posted in the Police Station Civil Lines, Karnal. He further contends that FIR in question is concocted and the allegations levelled against the petitioner in the FIR are false and fabricated.

I have considered the contentions raised by learned counsel for the petitioner and perused the record.

So far as the arguments raised by learned counsel for the petitioner are concerned, the same can be considered at the time of trial. It is yet to be determined as to whether there was actually conversation between the petitioner and the complainant. The same cannot be taken into consideration at this stage. A bare perusal of the FIR reveals that the girl was on Aactiva Scooter along with her mother. She was forcibly stopped and thereafter, the petitioner tried to push her in his car. The allegations apparently appear to be serious. It appears that young girls are not safe even on the roads. This Court in the case of **Gagandeep Singh vs. State of Punjab, CRM M-20263 of 2015, decided on 22.06.2015** has observed as under:-

“Eve teasing is a grave problem. Petitioner had helped the eve teaser – Simranpreet Singh in his designs and was party to causing injuries to the father of the victim girl. Petitioner along with others and the eve teaser even did not care for the law enacted to stop eve teasing. It appears that eve teaser did not learn to respect the member of their mother’s gender,

rather called the other persons and resultantly showed masculinity and caused injuries to the father of the victim girl. The act of the eve teaser, petitioner and co-accused is a crime against the honour and dignity of a young girl who is in initial stages of her study. Eve teaser was not only harassing the girl, but also called petitioner and others to cause injury to the father of the girl. The unlawful act of the eve teaser and the participation of the petitioner and other co-accused in encouraging the eve teaser is apparent. This not only affects the victim girl and her parents physically, emotionally and mentally, it is also unlawful infringement on the privacy and person of the victim girl. The petitioner has encouraged the eve teaser which may curtail the right to enjoy life and pursue studies by the victim girl. The petitioner has rendered help to the eve teaser for encroachment on the victim girl's right to life and dignity. Petitioner and other co-accused not only humiliated, at that point of time, the victim girl publicly but also with a show of masculinity caused injury to the father of the victim. It may certainly affect the further studies and the career of the victim girl. It may also affect her right to life and free movement. It appears that petitioner has forgotten the rich matriarchal traditions of this country. Petitioner and other co-accused should do a soul searching that how they will feel if this happens to their mothers, sisters and daughters. The involvement of the petitioner in encouraging the eve teaser in committing the offence of eve teasing on streets does not deserve concession of anticipatory bail. Instead of advising their ward to resist from doing such acts, the petitioner and others were party to encourage the eve-teaser. It can be well imagined how the

victim girl would be feeling when her father was being beaten by the petitioner and other co-accused. Psychic trauma to parents and victim girl can be also well imagined. The father has suffered serious injuries. The act of the petitioner and other co-accused is pernicious, horrid and disgusting. The petitioner does not deserve concession of anticipatory bail.”

Eve teasing is a grave problem now a days. No leniency can be shown to the petitioner.

In view of above, petitioner does not deserve concession of pre-arrest bail.

Dismissed.

June 29, 2015
vkd

[Paramjeet Singh]
Judge