

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

CRM-M-24824-2015

Date of decision: 24.8.2015

Satnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Ashok Bhardwaj, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. Advocate General, Punjab.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 377/506/34 IPC and Section 4 of Prevention of Children from Sexual Offences Act, 2012 at Police Station Dirbha, District Sangrur, vide FIR No.83 dated 17.06.2015.

Learned counsel for the petitioner submits that petitioner has nothing to do with the alleged offences and he has been implicated falsely in the present case. He submits that family of the petitioner is having some property dispute with family of the complainant and for this reason, this false case was got registered. Moreover, the Medical Officer did not find any case of sexual assault upon the complainant.

Prayer has been opposed by learned State counsel on the ground that allegations against the petitioner are serious and the petitioner does not deserve the concession of pre-arrest bail.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was lodged by Arshdeep Singh, a student of 9th class. As per the FIR, on 09.06.2015 the complainant was going to the house of his paternal uncle Prem Singh. When he reached near Government Primary School, Satnam Singh (petitioner herein) and Makhan Singh son of Hakam Singh came from behind on a Splendor Motorcycle being driven by the petitioner. They stopped the motor cycle near the complainant and asked him to sit on the motorcycle but he refused to do so. Thereafter, both the accused forcibly made complainant to sit on the motorcycle and took him on pavement of the minor canal of their village and after taking him in the ditches, Makhan Singh caught hold his both the arms and put his hand on his mouth, whereas Satnam Singh after removing his pant and underwear sodomized him.

Keeping in view nature of allegations, petitioner is not entitled to concession of pre-arrest bail. His custodial interrogation may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

17.8.2015
'Rajpal'