

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

**Criminal Misc. No. M-30697 of 2015
Date of Decision: 15.9.2015**

Manjinder Singh @ Bunt

--Petitioner.

Vs.

State of Punjab

--Respondent.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Inder Pal Singh, Advocate
for the petitioner.

Ms. Anmol Grewal, AAG, Punjab.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 41 dated 16.5.2015, under Sections 363/366/376 IPC and Sections 4 and 5 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Chola Sahib.

Learned counsel for the petitioner submits that once the prosecutrix as well as her father have not supported the prosecution version, no chance of conviction is left and the petitioner is entitled for the concession of bail pending trial. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from H.C.Mahinder Pal, submits that there is very strong circumstantial evidence against the petitioner. She further submits that FSL report has also been received and result thereof is against

the petitioner. Allegations against the petitioner are very serious that he kidnapped a minor girl aged about 15 years and committed an offence under Section 376 IPC. This was the reason that provisions of POSCO Act were also invoked in the present case. She prays for dismissal of the present petition.

Having heard the learned counsel for the parties at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that keeping in view the peculiar facts and circumstances of the case, petitioner has not been found entitled for the concession of bail pending trial. It is so said, because allegations against the petitioner are not only direct but the same are very serious as well. Petitioner is the only accused. Further, FSL report has been received and result thereof is against the petitioner.

In view of the above and without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, no case for bail pending trial has been made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

15.9.2015
AK Sharma