

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

**Criminal Misc. No. M-31306 of 2015
Date of Decision:-18.9.2015**

Satnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Kushagra Mahajan, Advocate
for the petitioner.

Mr. Gurinderjit Singh, Deputy A.G., Punjab.

HARI PAL VERMA J.

Satnam Singh son of Lakhwinder Singh, resident of Chhapar Mohalla, Village Sanghe, Police Station Sadar, Tarn Taran, District Tarn Taran has filed the present petition seeking regular bail pending trial in FIR No.132 dated 17.5.2015, under Sections 363 and 366-A IPC (Section 376 IPC added later on), registered at Police Station Sultanwind, Amritsar.

Learned counsel for the petitioner contends that the prosecutrix has attained the age of discretion and her statement recorded by the police does not disclose any offence which suggests that rape was ever committed upon her by the petitioner. He submits that while deciding

the bail application, the trial Court has also observed that no offence under Section 376 IPC is made out. The alleged incident took place on 11.5.2015 whereas the FIR was registered on 17.5.2015, therefore, there is inordinate delay in lodging the FIR. He further submits that the offence under Section 366 IPC is also not made out.

Learned State counsel submits that the prosecutrix is minor and as on the relevant date, her age was 16-½ years. He further submits that the statement made by the prosecutrix before the police was material wherein she has made specific allegations against the petitioner.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the prosecutrix is minor and had made a statement before the police that the accused had been harassing, teasing and pressurizing her to solemnize marriage with him, these facts cannot be ignored. The allegation of kidnapping with intent that prosecutrix will be subjected to sexual intercourse are serious in nature and allegations are specifically attributed to the petitioner.

In view of the above, there is no merit in the present petition and the same is hereby dismissed.

September 18, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE