

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM No.M- 41278 of 2014(O&M)

Date of Decision: January 30, 2015.

Tejinder Singh @ Sabi

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Simranjit Singh, Advocate
for the petitioner.

Mr. K.S.Sidhu, DAG, Punjab.

Mr. Vipin Mahajan, Advocate
for the complainant.

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

LISA GILL, J.

Petitioner prays for the grant of anticipatory bail in FIR no.87 dated 03.11.2014, under Sections 376/511/452/506 IPC, registered at police station Bhaini Mian Khan, District Gurdaspur.

It is submitted that the petitioner has been falsely implicated in this case and no such occurrence as has been alleged, took place 29.09.2014.

Petitioner had gone to Dubai on 07.09.2014 and returned on 27.09.2014. He

was unwell and suffering from vomiting and dysentery on the date of alleged occurrence. There is delay of 35 days in the lodging of the abovementioned FIR which in any case is politically motivated as the petitioner's father belongs to Congress Party.

Learned counsel for the State as well as the complainant oppose the present petition for anticipatory bail. It is informed that a complainant was lodged on the very next day i.e., 30.09.2014. FIR was registered subsequently on 03.11.2014 because the police authorities verified the incident as well as the call details, which were found to have been made from the petitioner's mobile.

As per the prosecution version, the petitioner used to make obscene calls from his mobile phone, the number of which has been mentioned. On 29.09.2014, the petitioner is alleged to have trespassed into the complainant's house when she was alone with her four year old daughter. He tore off her clothes and attempted to commit rape upon her. He fled away from the spot when one Jaswinder Singh was attracted to the place on noise being raised by the complainant.

Keeping in view the facts and circumstances of the case and the serious allegations made against the petitioner, it is not deemed fit to extend the benefit of anticipatory bail to him.

Petition is accordingly dismissed.

None of the observations made hereinabove shall be construed to be a reflection on merits of the case.

January 30, 2015.
'om'

(LISA GILL)
JUDGE