

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-8800 of 2015 (O&M)
Date of Decision: 24.03.2015

Baldev Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

1. *Whether Reporters of the 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?*

Present: Mr. B.S. Bhinder, Advocate
for the petitioner.

Mr. Gazi Mohd. AAG, Punjab
for the State.

R.P. Nagrath, J. (Oral)

This petition under Section 439 Cr.P.C. has been filed by the petitioner for grant of regular bail in case FIR No.16 dated 10.02.2015 under Sections 354, 506 IPC and Section 12 of Protection of Children from Sexual Offences Act, 2012, Police Station Bassi Pathana, District Fatehgrah Sahib.

According to the story, the sister of the prosecutrix was studying in the school of the petitioner who is the Headmaster. The prosecutrix was 14 years old and her sister was 13 years old. She went to the school to take her sister when the petitioner molested

her.

The exact version in the FIR is as under:-

“Headmaster called my daughter Kirandeep Kaur in his office and he forcibly grappled my daughter Kirandeep Kaur in his arms and kissed her face and Baldev Singh Headmaster said to my daughter that I love you and then my daughter was surprised and she pushed Baldev Singh, Headmaster and got her released from his arms with great force. That time Baldev Singh Headmaster gave threats to my daughter if you will tell this matter to any body you will face the consequences.”

It is contended by learned counsel for the petitioner that there was a motive to implicate the petitioner falsely. But that is a question to be discussed on the merits of the case.

Petitioner is in custody since 10.02.2015. Learned State counsel submits that challan is ready and would be submitted soon. The State is directed to make compliance of the aforesaid contention.

After hearing learned counsel for the parties, without commenting on the merits of the case, keeping in view the fact that the trial will take time in conclusion, the instant petition is allowed and petitioner be admitted to bail on furnishing bail bonds with two sureties in the like amount to the satisfaction of the Area Magistrate.

In view of the facts of the instant case and to remove any apprehension that the petitioner being Headmaster of school may influence the girls or interfere in their life, it is directed that Senior Superintendent of Police, Fatehgrah Sahib will depute two lady

constables who would keep on visiting the residence of the girls in plain clothes after interval of 10 days and keep on submitting report to the SSP concerned till the girls are examined by the Court. SSP will ensure that as far as possible, same lady constables in plain clothes would visit residence of the girls each time. If there is any adverse report against the petitioner, the prosecution would be at liberty to apply for cancellation of his bail before the trial Court.

Let copy of this order be also given to learned State counsel under signatures of Reader of this Court for compliance.

24.03.2015
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(R.P. Nagrath)
Judge