

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

CRM No.M-8998 of 2015 (O&M)

Date of decision:05.05.2015

Avtar Singh @ Billu

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Nikhil K. Chopra, DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 438 Cr.P.C. seeking the benefit of anticipatory bail to the petitioner in case FIR No.158 dated 15.12.2014, under Section 366 IPC (Sections 376/363/342/149/ IPC added later on), registered at Police Station Dehlon, District Ludhiana.

Counsel for the parties have been heard.

FIR was registered on the statement of Rashpal Singh, father of the prosecutrix. Allegations were with regard to the prosecutrix being about 18 years and 6 months of age and having gone to attend school on 18.11.2014 and having not returned back home. Father of the prosecutrix had named Ram Singh @ Rama as the suspect who had allegedly enticed away his daughter in spite of being a married person and having two sons.

On the previous date of hearing i.e. on 09.04.2015, State counsel had been directed to place on record the statements of prosecutrix recorded under Sections 161 Cr.P.C. as also 164 Cr.P.C.

In compliance of the directions issued by this Court, learned State counsel, who is upon instructions from ASI Davinder Singh has produced before this Court the statement of prosecutrix recorded under Section 161 Cr.P.C. dated 25.12.2014 as also statement recorded under Section 164 Cr.P.C. on 30.12.2014.

A conjoint reading of the statements recorded under Sections 161 and 164 Cr.P.C. of the prosecutrix would reveal that there are direct allegations against the present petitioner as regards she having been detained at a particular place after having been enticed by main accused, Ram Singh.

In the light of serious and direct allegations, this Court does not find the petitioner entitled to the concession of pre-arrest bail.

Petition dismissed.

05.05.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**