

**CRMs 30273 of 2015 and 9304 of 2016 in
CRM A-1545-MA of 2015**

State of Haryana Vs. Inderjit Singh

Present : Mr. Kapil Aggarwal, Additional A.G., Haryana.

CRM 9304 of 2016

For the reasons stated therein, the application is allowed. Affidavit of Deputy Superintendent, office of Advocate General, Haryana, Chandigarh explaining the delay in filing of the leave to appeal is taken on record.

CRM 30273 of 2015

Heard. Sufficient cause has been shown for condonation of delay in applying for leave to appeal. The application is, therefore, accepted and the delay of 643 days in applying for leave to appeal is condoned.

**(T.P.S. MANN)
JUDGE**

March 18, 2016
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**(RAMENDRA JAIN)
JUDGE**

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

CRM A-1545-MA of 2015

Date of Decision : March 18, 2016

State of Haryana

.....Applicant

VERSUS

Inderjit Singh

.....Respondent

**CORAM: HON'BLE MR. JUSTICE T.P.S. MANN
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present : Mr. Kapil Aggarwal, Additional A.G., Haryana.

T.P.S. MANN, J. (Oral)

The State of Haryana has filed the present application for grant of leave to appeal against the judgment dated 27.8.2013 passed by learned Judge, Special Court, Kurukshetra to the extent of acquitting the respondent under Section 4 of the Protection of Children from Sexual Offences Act, 2012.

The respondent was tried for committing the offences punishable under Sections 120-B, 468, 471, 363 and 366-A IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012. Vide impugned judgment, the trial Court convicted the respondent for the offence under Section 366 IPC. However, he was acquitted of the remaining charges.

In the present appeal, the acquittal of the respondent under Section 4 of the Protection of Children from Sexual Offences Act, 2012 only has been challenged.

It is the admitted case of the prosecution that the occurrence in question had taken place on 5.5.2012. On that day, the provisions of the Protection of Children from Sexual Offences Act, 2012 had not come into force. The said Act came into force only on 14.11.2012. The Act having come into force in the month of November, 2012, it could not create any offence retrospectively i.e. on 5.5.2012. Under these circumstances, the acquittal of the respondent under Section 4 of the Protection of Children from Sexual Offences Act is in order and is not liable to be reversed.

The application is without any merit and, accordingly, dismissed.

Leave to appeal is declined.

(T.P.S. MANN)
JUDGE

March 18, 2016
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(RAMENDRA JAIN)
JUDGE