

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No. M-25988 of 2016 (O&M)

Date of decision: August 12, 2016

Maninder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. D.S. Pheruman, Advocate
for the petitioner

ANITA CHAUDHRY, J. (ORAL)

CRM-23996-2016

Application is allowed and Annexures P-8 and P-9 are taken on record.

CRM-M-25988-2016

This is third petition seeking anticipatory bail in FIR No. 122 dated 11.08.2015 under Sections 341/354/354-A/354-B/354-D/295-A/506/323/34 IPC alongwith Section 7/8 of POCSO and Sections 376/328/120-B IPC added later on registered at Police Station Civil Lines, Batala, Police District Batala, District Gurdaspur.

Learned counsel for the petitioner urges that there was change of circumstances and Gagandeep Singh was allowed bail and the police is holding re-investigation and SIT had been formed.

It is necessary to refer to the relevant para of the order passed on 25.01.2016 and it reads as under:-

“The name of the petitioner finds mention in the complaint given by the father. He had also been named by the prosecutrix. A supplementary statement was given by the victim wherein she has accused the petitioner of taking her to a hotel for a party where some tablets have been administered and when she was under its influence she was raped.

The girl is stated to be 16–16 ½ years. Learned counsel for the

complainant has stated that there is pressure for compromise and threats are being given.

Considering the allegations and the conduct no case for anticipatory bail is made out.”

Thereafter second petition was filed seeking anticipatory bail which was dismissed being not maintainable.

The petitioner can't claim parity with another accused. It is the allegations which are to be seen. The first petition was dismissed in January 2016. The petitioner is filing successive applications. The petition is dismissed as not maintainable. The petitioner is directed to surrender before the Court below.

August 12, 2016
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(ANITA CHAUDHRY)
JUDGE

Whether Reasoned/Speaking	Yes/No
Whether Reportable	Yes/No