

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

**Crl. Misc. No.M-42738 of 2015(O&M)
Date of decision : 17.03.2016**

Jagdeep Singh

... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. A.S. Sullar, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, AAG Punjab.

Mr. Gurcharan Singh, Advocate
for the complainant.

ANITA CHAUDHRY , J(ORAL)

The petitioner is seeking anticipatory bail in FIR No. 127 dated 17.09.2015, registered at Police Station Kharar, District SAS Nagar under Sections 363, 366 and 376 read with Section 34 IPC.

On the last date of hearing, it had been stated that the petitioner was not named in the FIR and the FIR had been lodged after 10 days. Interim bail was allowed to the petitioner.

The complainant side has appeared.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and the FIR was lodged after 10 days and the MLR was conducted on 17.09.2015. He further contends that father had lodged a missing report, but on the next day he stated that he did not want any action to be taken on his complaint, but after a week the FIR was lodged.

Learned counsel the complainant states that the petitioner is known as Tinka and the police is helping the other side as the family is influential and the *Lambardar* and *Sarpanch* of the village have made statements.

Learned State counsel submits that the petitioner belongs to the same village and there is no dispute regarding identity and he is also known as Tinka. In the statement made under Section 164 Cr.P.C., she has named Tinka @ Jagdeep son of Dilbagh and in fact three persons had raped the girl and she was taken on the pretext that they would help her getting a job and the girl was only 16 years old.

There is no dispute regarding the identity. The statement of the girl had been recorded before the Magistrate. The petitioner is also known as Tinka. The *Lambardar* and *Sarpanch* had made statement in this regard to the police. The allegations are serious. No case for anticipatory bail is made out.

Dismissed.

March 17, 2016
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(ANITA CHAUDHRY)
JUDGE