

IN THE HIGH COURT OF PUNJAB & HARYANA,
CHANDIGARH

Crl. Misc. No. M- 22219 of 2017
Date of decision. 19.06.2017

Hardeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Ms. Supriya Garg, Advocate
for the petitioner.

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HARINDER SINGH SIDHU, J.

Hardeep Singh, the petitioner has sought pre-arrest bail in a case registered by way of FIR No. 67 dated 15.05.2017 at Police Station Sardulgarh District Mansa, for an offence punishable under sections 365, 452, 323, 324, 148 and 149 IPC.

The FIR was registered on the statement of the complainant-Balwinder Singh son of Darshan Singh, 19 years old with the allegation that the complainant was a labourer and his father had expired and his mother-Baljit Kaur had left him at Jattana Kalan five years back and now he is living with his uncle Jasvir Singh. It is further alleged that on 12.05.2017 he alongwith his uncle was present in the house. Nikku Singh son of Marra Singh entered into the house and put his hand on his mouth. Naib Singh son of Leela Singh caught hold of his arms and Hardeep Singh son of Jang Singh caught hold of his legs, Gaggi Singh son of

Buta Singh put blanket upon him. All of them put the complainant in the car, which was being driven by Hardeep Singh(petitioner). Nikku Singh sat on the front seat, Naib Singh and Gaggu Singh were sitting alongwith the complainant on the back seat of the car. One motorcycle having three unidentified persons followed the car. Thereafter the complainant was taken to motor which he could not identify due to darkness. Hardeep Singh put empty beer bottle in the anus of the complainant. Naib Singh and Nikku Singh also put petrol in the anus of the complainant. Thereafter, they all committed sodomy with him turn by turn and also made his video. Nikku Singh caused injury by sharp edged weapon on the thighs of the complainant whereas Naib Singh throttled his neck.

Learned counsel for the petitioner submits that the allegation of insertion of beer bottle in the anus of the complainant by the petitioner alongwith his co-accused is totally false and concocted just to take the revenge from the petitioner, who earlier got registered a case against the complainant. He further submits that as per medical report of the complainant, no tear in/around the anus of the complainant was present. Further no bleeding was noticed during the course of medical examination.

Be that as it may, looking at the nature of the allegations, in my view the petitioner does not deserve the concession of anticipatory bail. Consequently, the petition is dismissed.

June 19, 2017
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(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No