

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

CRM-M-42273-2017 (O&M)

Date of decision : 17.11.2017

Sarwan Singh @ Pappi

...Petitioner

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. H.S. Batth, Advocate,  
for the petitioner.

Mr. Anju Arora, Addl.AG, Punjab,  
assisted by ASI Harmesh Singh.

**JITENDRA CHAUHAN, J. (Oral)**

The instant second petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in FIR No.07 dated 25.01.2017, registered under Sections 354 and 354-A of the Indian Penal Code and Section 7 of the Protection of Children from Sexual Offences Act, registered at Police Station Khalra, District Tarn Taran.

Contends that the petitioner, aged 55 years, has been falsely implicated in the instant case. He is in custody since 26.01.2017. The occurrence took place on 23.01.2017, whereas, the FIR came to be registered on 25.01.2017. The father of the prosecutrix has sworn an affidavit before the Executive Magistrate (Annexure P-2) exonerating the

petitioner.

On the other hand, learned State counsel has vehemently opposed the instant bail petition. It is contended that the prosecutrix is minor, aged 11 years. The trial is in progress and material witnesses have not yet been examined.

Heard.

Considering the gravity of the offence and the age of the petitioner and the prosecutrix, who allegedly has exonerated the petitioner, this Court is not inclined to accept the prayer made in the present petition.

Dismissed.

However, keeping in view the custody period of the petitioner, the trial Court is directed to conclude the trial expeditiously.

**17.11.2017**

*atulsethi*

**(JITENDRA CHAUHAN)  
JUDGE**

Whether speaking / reasoned :      Yes      No

Whether Reportable :      Yes      No