

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

CRM-M-7936 of 2017 (O&M)

Date of decision: 14.03.2017

Aman @ Amni

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. A.K. Khunger, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.91 dated 11.08.2016, registered under Section 337 read with Section 34 of IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012 (for short 'the Act'), at Police Station Bahaw Wala, District Fazilka.

It is contended that initially the FIR was registered under Sections 377/34 of IPC along with Section 4 of the Act. Section 3/4 of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 has now been deleted. The petitioner has been falsely implicated in the present FIR on account of previous hostility between the parties. It is a magisterial trial. The investigation stands

concluded; challan has been presented. The petitioner is in custody since 19.08.2016.

On the other hand, the learned State counsel opposes the bail application and states that the petitioner has been specifically named in the FIR. The petitioner in fact is the facilitator of the crime. The victim is minor has not been examined so far.

I have heard learned counsel for the parties and perused the record.

Considering the nature of offence and the age of the victim, no case for grant of relief sought, is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

However, considering the period of incarceration, the trial Court is directed to conclude the trial expeditiously preferably within six months from the date of receipt of certified copy of the order.

14.03.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No