

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 11834 of 2018 (O&M)
Date of decision : 18.9.2018

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Jaggar Singh

.....Petitioner

vs.

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. S.S. Grewal, Advocate
for the petitioner.

Ms. Samina Dhir, Deputy Advocate General,
Punjab.

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H. S. Madaan, J.

This petition for regular bail has been filed by petitioner Jaggar Singh, an accused in FIR No. 21, dated 1.2.2018, for offences under Section 354 IPC and Section 4 of the Protection of Children from Sexual Offence Act, 2012, registered at Police Station Maur, District Bathinda.

Briefly stated, facts of the case, as per the prosecution story are that on 1.2.2018, daughter of complainant Manpreet Kaur w/o Jagtar Singh r/o village Rajgarh Kubhe, (name withheld to

conceal the identity), aged about 7 years, had gone out of her house for the purpose of playing, but she did not come back. Her mother and other family members searched for her, during the course of which complainant and her mother-in-law Sundro Kaur reached house of Lachho w/o Gurjant Singh and found that trousers of her missing daughter was put off and Jaggar Singh was lying on the bed. On seeing the complainant and her mother-in-law, he ran away, whereas daughter of the complainant started raising noise and weeping. She told her mother, the complainant, that while she was playing in the street, then her grandfather Jaggar Singh took her inside the house on the pretext of eating, closed the door and put off her trousers and laid down on the bed. In the meantime, complainant had arrived at the spot.

On the basis of statement of Manpreet Kaur, complainant, formal FIR in the matter was recorded. The accused was arrested in this case on 1.2.2018. He had filed an application for regular bail to the Court of Sessions, which was assigned to the Court of Additional Sessions Judge, Bathinda, who vide order dated 20.2.2018, dismissed the same. As such, he has approached this Court, craving for grant of similar relief.

I have heard, learned counsel for the petitioner, learned State counsel, besides going through the record.

Counsel for the petitioner has contended that petitioner is an aged person of 85 years; he has not committed the offence, rather he is innocent. Therefore, benefit of bail be given to the petitioner. Whereas this request is being resisted by the State counsel,

submitting that he has committed a very grave and heinous offence and does not deserve the concession of bail.

After hearing the rival contentions, I find that the petitioner accused has committed a very hateful crime while being in the evening of his life, sexually assaulting his minor granddaughter aged about 7 years. Such type of persons having perverse sexual mentality are real danger to the society because if set free, there is every likelihood of his trying to ravish other innocent girls and to spoil their lives.

The guilt of accused shall be determined during the trial, which is going on. The trial is expected to be completed in near future. Thus I do not find any justification to allow the petition. The same stands dismissed accordingly.

18.9.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes/ No

Whether reportable Yes/ No