

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

Crl. Misc. M-51206 of 2018 (O&M)
Date of Decision: December 11, 2018

Baj Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ramesh Sharma, Advocate
for the petitioner.

Mr. B.S. Sewak, Addl. AG Punjab.

Mr. Ramandeep Singh, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 438 Cr.P.C.
for grant of anticipatory bail to the petitioner in FIR No.26 dated
18.07.2018 registered under Sections 354 of Indian Penal Code and Section
8 of POCSO Act at Police Station Khui Khera, District Fazilka.

Learned counsel for the petitioner herein contends that the
allegations as set out in the FIR are patently false, while also contending
that the petitioner herein is 82 years of age and would not indulge in any
such activity as stated in the FIR. It is also argued that there is delay of 02
days in registration of the FIR.

Per contra, learned counsel appearing on behalf of the

respondent-State and complainant oppose the grant of anticipatory bail to the petitioner, while contending that the allegations against the petitioner herein are that he outraged the modesty of a minor girl aged 12 years and there is a medical on the record, which would reflect that the victim has received 06 injuries. It is also argued that the delay in lodging of the FIR is explained, since father of the victim was hesitant in lodging the said FIR against his father.

I have learned counsel for the parties and perused the record of the case.

A reading of the FIR would go on to show that there are serious allegations that have been levelled against the petitioner herein, who is accused of outraging the modesty of step daughter of his own son.

In view of the facts and circumstances of the present case and nature/gravity of the offence, this court is of the considered view that no ground is made out to grant the relief of anticipatory bail to the petitioner. Accordingly, the petition in hand is hereby dismissed, being devoid of any merits.

However, anything observed by this court shall have any affect on the merits of the case, which is only for the purpose of deciding the anticipatory bail to the petitioner.

December 11, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No