

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-6532 of 2019 (O&M)
Date of decision : February 20, 2019

Harpreet Singh @ Preet

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Sanjay Jain, Advocate, for the petitioner
Mr. Amrik Narwal, DAG Haryana for the State

Fateh Deep Singh, J. (Oral)

This order shall dispose of regular bail application under Section 439 Cr.P.C. of accused-petitioner Harpreet Singh @ Preet filed in case FIR No. 97 dated 5.4.2018, under Sections 4,6 of the Protection of Children from Sexual Offences Act, 2012 and Section 506 IPC, Police Station Mahesh Nagar, Ambala.

The facts brought to the notice of this Court are that the present case was got registered by the wife of the petitioner alleging that her minor daughter the victim aged around 13 years born out of her previous wedlock was being defiled by the petitioner step-father and that prior to the registration of the present case on 5.4.2018 the wife-complainant had

confronted the petitioner-husband of having been found defiling the girl nine months prior to the present case. When the petitioner did not desist the present case was got registered.

Mr. Sanjay Jain, counsel for the petitioner inter-alia contends that the complainant as well as the victim have not supported the prosecution story at the trial and have been declared hostile and that the petitioner is behind the bars since 5.4.2018 and thus prayed for grant of bail.

Learned State counsel on instructions from ASI Kulbir has opposed the grant of bail on the grounds that a step-father has defiled the minor daughter repeatedly and thus, in view of the heinousness of the offence which is well corroborated by the medical evidence disentitles him to any relief.

Appreciating the submissions, the very conduct of the petitioner while in custody having stifled the trial and if allowed bail will thwart the very dispensation of justice. Vide detailed order dated 4.12.2018 this Court has declined and dismissed the first regular bail application of the petitioner and no fresh ground is made out.

Dismissed.

February 20, 2019
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No