

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

(i)

CRM M-15419-2019 (O&M)

Chaman Lal alias Sonu

..... Petitioner

Versus

State of Punjab

..... Respondent

(ii)

CRM M-20309-2019 (O&M)

Jaskaran alias Jassi

..... Petitioner

Versus

State of Punjab

..... Respondent

Date of Decision : 29.05.2019

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. B.K.Mehta, Advocate
for the petitioners.

Mr. V.G.Jauhar, Sr. DAG, Punjab.

Mr. Sarju Puri, Advocate
for the complainant.

RAJ SHEKHAR ATTRI, J. (Oral)

This order shall dispose of CRM-M-15419-2019, filed by petitioner Chaman Lal alias Sonu and CRM-M-20309-2019, filed by petitioner Jaskaran alias Jassi, under Section 439 Cr.P.C. for grant of regular bail in case FIR No.165 dated 27.12.2017, registered under Sections 376-D, 506, 384, 363, 366, 342, 376 IPC and Section 6 of the Protection of children from Sexual Offences Act, 2012, at Police Station City Nawanshahr.

Learned counsel for the petitioners have argued that the occurrence, as stated by the prosecutrix is of December, 2016 but the petitioners had gone abroad on 21.10.2016 and returned on 08.04.2017 and question of committing rape upon the prosecutrix in December, 2016 by the petitioners does not arise at all.

On the other hand learned counsel for the complainant as well as learned State counsel have submitted that it is very much clear from the bare perusal of the FIR that on 11.12.2017, the minor prosecutrix disclosed to her father that she secured less marks as she was disturbed due to the commission of rape committed by the petitioners in the past.

It is a matter of trial whether she was raped before December, 2016 or early to it.

Keeping in view the facts and circumstances of the case and the seriousness of the offence, the petitioners are not entitled to the concession of regular bail.

Accordingly, both the aforesaid petitions stand dismissed.

(RAJ SHEKHAR ATTRI)
JUDGE

29.05.2019
mamta

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