

210.

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

CRM-M-21599-2019

Date of decision:05.07.2019

JAGDISH SINGH

... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Impinder Singh Dhaliwal, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.173 dated 01.08.2018 registered under Sections 376(2)(i), 511 of IPC at Police Station Civil Lines, Bathinda.

The allegation against the petitioner is that on 23.07.2018 at about 11:00 PM when the prosecutrix, who is physically handicapped, was alone in her house, the petitioner taking advantage of her being alone tried to rape her and tried to outrage her modesty. The prosecutrix could not run because of her being handicapped. On raising noise, the petitioner ran away.

Counsel for the petitioner states that the petitioner has falsely been implicated in the case. Mother of the prosecutrix wanted to buy a house in Bathinda, to which, the petitioner was not inclined to oblige, therefore, the FIR has been registered. There is a delay of about 9 days in

lodging the FIR and the prosecutrix had not disclosed this fact to anybody else except Parveen Kaur.

Learned State counsel, on instructions from ASI Raghbir Singh, has argued that on the relevant date when the petitioner tried to commit rape, the prosecutrix was alone in her house.

I have heard learned counsel for the parties.

The petitioner is a step-father of the prosecutrix who is handicapped. The allegation against the petitioner is that on 23.07.2018 at about 11:00 PM when she was alone in her house, the petitioner tried to commit rape with her. This attempt was made when the mother of prosecutrix was not at home.

The allegation against the petitioner being serious in nature, no case for grant of anticipatory bail is made out.

Dismissed.

(HARI PAL VERMA)
JUDGE

05.07.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No