

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

(i) CRM M-50643-2018 (O&M)

Major Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

(ii) CRM-M-22300-2018 (O&M)

Resham Singh alias Prem Singh

...Petitioner

Versus

State of Punjab

...Respondent

Date of Decision : 20.03.2019

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Salil Dev Singh Bali, Advocate
for the petitioner in CRM-M-50643-2018

Mr. Himanshu Monga, Advocate
for the petitioner in CRM-M-22300-2018.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. P.P.S.Duggal, Advocate for the complainant.

RAJ SHEKHAR ATTRI, J. (Oral)

This order shall dispose of CRM-M-50643-2018, filed by petitioner Major Singh for grant of anticipatory bail and CRM-M-22300-2018, filed by petitioner Resham Singh alias Prem Singh for grant of regular bail in case FIR No.124 dated 04.09.2017, registered under Sections 363, 366, 376-D, 120-B IPC, at Police Station Guruhar Sahai, District Ferozepur.

Briefly stated, it is a case of the prosecution that on 20.08.2017, the prosecutrix and her minor sister were alone at home. At about 1:30 noon, Major Singh (petitioner in CRM-M-50643-2018) came on a motorcycle and took both of the sisters with him on his motorcycle giving assurance that he will marry with them. He brought both the sisters to unknown place where Prem Singh alias Resham Singh and his brother Harbhajan Singh were present, who were were waiting for them. Major Singh handed over the custody of both the sisters to them and the duo took both the sisters to the nearby canal. Both Prem Singh alias Resham Singh and Harbhajan Singh continuously gave sexual assault to them without their consent. On 23.08.2017, they left the prosecutrix and her sister in the outskirts of the village.

I have heard learned counsel for the parties and have gone through the record.

The FIR transpires that both Major Singh and Resham Singh alias Prem Singh were active. Petitioner Major Singh took the prosecutrix and her minor sister to unknown place and handed over their custody to petitioner Resham Singh alias Prem Singh and one Harbhajan Singh.

To the mind of this court, both the petitioners have active part in the crime, therefore, they are not entitled for bail.

As such, finding no merit in both the petitions, the same are hereby dismissed.

(RAJ SHEKHAR ATTRI)
JUDGE

20.03.2019
mamta

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No