

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

**CRM-M No.26961 of 2019
Decided on: 26.06.2019**

Dilpreet Singh @ Dilpreet Bawa @ Gora

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. B.S. Bhalla, Advocate
for the petitioner.

Ms. Lavanya Paul, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.79 dated 16.05.2019, for offence punishable under Sections 354, 451, 506 of the Indian Penal Code (in short 'IPC') (Section 8 of the Protection of Children from Sexual Offences Act, 2012 added later) registered at Police Station Dharamkot, District Moga.

Counsel for the petitioner has submitted that on an earlier occasion, there was a dispute between the two family of the petitioner and the complainant and the matter was got compromised and later on, the present FIR has been registered with the allegation that the daughter of the complainant, whose date of birth is 13.02.2002 and she is a student of 10th+1 class and the petitioner forcibly entered his house and

caught hold of her daughter with the intention to outrage her modesty. It is also submitted that in the later part of the FIR, it is specifically stated that the incident pertains to 12.05.2019 and the FIR was registered on 16.05.2019 with a specific averment in the FIR that till now no one from the side of the petitioner has come to apologise or contacted the complainant through any respectable in the family. It is also submitted that it will take some time in conclusion of the trial.

Counsel for the State, on instructions from ASI Surjit Singh, has not disputed the factual position but opposed the prayer for bail. It is further submitted that the petitioner is also a young person.

Without commenting anything on merits of the case, considering the fact that on an earlier occasion, there was a compromise between the parties and there can be a possibility of false implication of the petitioner in the present case and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

26.06.2019

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No