

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27350-2019

Date of Decision: 5.7.2019

Dev Raj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Brijender Kaushik, Advocate, for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Harnaresh Singh Gill, J.

The present petition is for grant of anticipatory bail to the petitioner in case bearing FIR No. 72 dated 13.06.2019 under Section 354-D IPC and Section 8 of the POCSO Act, registered at Women Police Station, Panchkula.

As per the allegations contained in the FIR, the petitioner being a priest, had been called by the complainant to perform rituals at her house on the occasion of 'House Warming Ceremony' (Grah Pravesh). However, when the complainant went to roof of the house to offer water to the Sun, during that period, the petitioner had touched her 13 years old daughter on various parts of her body with the sexual intent, had tried to kiss her and had also taken obscene selfies with her, besides extending her threats not to disclose the said incident to anyone.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present FIR and being a priest, he cannot even think of doing the alleged acts and as a matter of fact, the FIR has been got registered on

account of demand of Rs.5100/- by the petitioner and its non-payment by the complainant.

On the other hand, the learned State counsel, on instructions from ASI Karamjeet, Police Station 40, Panchkula, states that in the instant case FIR has been registered by a mother and no mother would put the honour of her daughter at a stake by leveling false accusations against any person. Still further, the victim being minor, the alleged acts done by intimidating her, does not call for any interference.

I have heard learned counsel for the parties.

The petitioner is stated to be a priest by profession. The complainant, who had called the petitioner with great reverence to perform the rituals for house warming ceremony, cannot be believed to have launched a false prosecution against the petitioner, that too, when the victim happens to be none other than the minor daughter of the complainant. Still further, the provisions of the Protection of Children from Sexual Offences Act, 2018 are meant to protect the minor from the sexual offence(s) and bring the guilty to the book.

In view of the above, no case is made out for grant of concession of anticipatory bail to the petitioner. Hence, the present petition is dismissed.

5.7.2019
ds

(HARNARESH SINGH GILL)
JUDGE

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No