

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

CRM-M-46498 of 2019  
Date of Decision:06.11.2019

Vinod Yadav ....Petitioner

Versus

State of Punjab ....Respondent

**CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Jaswinder Singh Grewal, Advocate for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

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**MAHABIR SINGH SINDHU, J.(Oral)**

Present petition has been filed under Section 439 Cr.P.C. seeking bail pending trial in case FIR No. 40 dated 30.06.2019, under Sections 377 & 511 of the Indian Penal Code and Section 10 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Morinda, District Rupnagar.

As per the case of the prosecution, the complainant had one son, namely, Gurjap Singh, aged about 4 years. In the house of the complainant, construction was going on and three labourers were employed. They were provided a separate room for residing in their house. At about 11:00 a.m., the complainant was busy in doing her house hold work and her minor son was playing near the construction site. After sometime, the complainant noticed that her son was not there and she started searching for him. She also noticed that one labourer namely, Vinod-petitioner was also missing. When she entered the room, then found that her son Gurjap Singh was lying on the bed with his face down and was naked with an attempt to sexually abused by the petitioner.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Further contends that the there was a dispute regarding wages and no such

occurrence had taken place. Also contends that the petitioner is in custody for the last three months and report under Section 173 Cr.P.C. has already been filed. Further contends that the allegation against the petitioner is that he was allegedly standing at the spot.

On the other hand, learned State counsel has opposed the bail and submits that the victim is only 4 years old and the intention to commit the crime is clearly established in this case.

Heard learned counsel for the parties and perused the paper book.

Keeping in view the gravity of offence that the petitioner made an attempt to sexually abuse the minor son of the complainant , who is only 4 years old, this Court finds no merits in the present petition to grant the concession of bail and the same is hereby dismissed at this stage.

However, learned trial Court is requested to expedite the trial at the earliest.

The above observations, may not be construed as an expression of opinion on merits of the case.

**[MAHABIR SINGH SINDHU]**  
**JUDGE**

November 06, 2019

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Whether speaking/reasoned  
Whether reportable?

yes/no  
yes/no