

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-52904 of 2019

Date of Decision: 17.12.2019

Satpal Singh

...Petitioner (s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Piyush Sharma, Advocate
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.49 dated 18.05.2019 under Sections 363, 366-A and 506 IPC and Section 6 POCSO Act registered at Police Station Jakhal, District Fatehabad.

Briefly stated, the FIR in question was registered at the behest of Issar Singh son of Shingara Singh. As per the FIR, the complainant has three children including two sons and a daughter. His daughter, who is the victim in the case, has passed 10+2 examination. On 13.05.2019, at about 9 P.M., the victim, who was 17 years and 4 month old, left the house without

informing anybody. When the complainant came to know about her missing from the house, he enquired about her from the near and dears and has now come to know that his daughter has been enticed away by the petitioner - Satpal Singh on the pretext of performing marriage with her. Accordingly, the present FIR was registered and the victim was recovered on 08.06.2019.

Learned counsel for the petitioner has argued that in fact the present FIR is an outcome of love relationship between the petitioner and the victim. The victim had herself left her house and the petitioner has never enticed her away. He has further argued that the victim was major on the date of registration of the FIR, which fact was disclosed by her. The victim has also been examined in the case as witness no.5 and she has not supported the case of the prosecution.

I have heard learned counsel for the petitioner.

The victim was minor on the date of alleged incident. The petitioner-accused is stated to be married, yet he has enticed away the victim with him. The FSL report and the DNA report have indicated that physical relation was developed with the victim. In these circumstances, no ground is made out for grant of regular bail to the petitioner.

Accordingly, the present petition is dismissed.

December 17, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No