

102 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.810 of 2020
DATE OF DECISION:13.01.2020

Sham Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR.JUSTICE LALIT BATRA

Present: Mr. Parampreet Singh Paul, Advocate
for the petitioner.

LALIT BATRA, J. (Oral)

Present petition under Section 438 Cr.P.C is for grant of pre-arrest bail to petitioner-**Sham Singh** in case F.I.R. No.133 dated 24.10.2019 under Sections 8, 18, 21 (1), 21 (2) of POSCO Act, 2012 and 506 IPC, registered at Police Station Nangal, District Rupnagar.

Notice of motion.

Mr. Harpreet Singh Multani, AAG, Punjab, accepts notice on behalf of respondent-State. Mr. Bhupinder Banga, Advocate, who is already present in the Court, has filed Power of Attorney on behalf of respondent No.2-Meena (complainant), which is taken on the record. Complete copies of paper book have been supplied to them.

Learned counsel for the petitioner *inter alia* contends that the allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further urges that now with the

intervention of respectables of the locality, matter has been compromised with the complainant-Meena and she has no objection in case FIR in question is quashed. He further urges that even otherwise petitioner is ready to join investigation as and when required and, thus, he may be released on pre-arrest bail.

On the other hand, learned State counsel while opposing instant petition has vehemently urged that there are serious allegations against the petitioner as he molested number of minor children (students). He further urged that alleged compromise as arrived between Meena-complainant and petitioner has no significance in the eyes of law, as minor victims in their statements recorded under Section 164 Cr.P.C. by learned Magistrate, have categorically reiterated the allegations levelled in the complaint, on the basis of which, FIR was registered. He further urged that in view of seriousness of offence, petitioner does not deserve the concession of pre-arrest bail.

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

Without commenting anything on the merits of the case, allegedly petitioner being teacher in a school molested number of minor children (students). As pointed out by learned State counsel, minor victims got recorded their statements under Section 164 Cr.P.C. before the Magistrate, wherein they have reiterated their stand as enshrined in the complaint, on the basis of which, FIR was registered.

In view of above, in case concession of pre-arrest bail is extended to petitioner, it would lead to lawlessness in the society. Keeping in view totality of entire scenario, no extra-ordinary ground has been made out in favour of petitioner for his entitlement of pre-arrest bail.

As a sequel to above, instant petition for grant of pre-arrest bail moved by the petitioner is dismissed.

(LALIT BATRA)
JUDGE

13.01.2020
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No