

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

**CRM-M No.11812 of 2020 (O&M)
Date of decision: 20.03.2020**

Pradeep Singh @Bunty

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. N.S.Dhaliwal, Advocate for the petitioner.

SUVIR SEHGAL J. (ORAL)

Prayer in the present petition filed under section 438, Cr.P.C. is for anticipatory bail in FIR No. 27 dated 07.02.2020, Annexure P-1, under section 377 and 506, Indian Penal Code, 1860, and section 6 of Protection of Children from Sexual Offences Act, 2012, registered at Police Station City Moga, District Moga. Before approaching this Court, petitioner had filed application seeking of anticipatory bail before the Sessions Court, Moga, which was declined on 07.03.2020, Annexure P-2.

Facts, in brief, are that a complaint was submitted by Jagsir Singh son of Darshan Singh that the husband of his elder sister was working with Gurudwara Bibi Inderjit Kaur, Rab Nagar, Moga, and used to collect food from the houses of the villagers for the Gurudwara Sahib. When he suddenly fell sick, his son ABC (name withheld), who was 14 years of age and was student of 9th class was kept by Granthi Davinder Singh for the same purpose and worked as such for four months. Granthi Davinder Singh and his companion, Pradeep Singh, were residing

together in a residential room within the premises of the Gurudwara complex. In the latter two months, **they repeatedly committed immoral deeds with ABC** and intimidated and threatened him as a result of which he did not disclose this to anyone due to fear. Prior to this, Pradeep Singh used to do wrong things with him. On 05.02.2020 at about 4 PM, they threatened to kill him. When Granthi Davinder Singh went to the Gurudwara sahib for prayers **and Pradeep Singh had gone for prayer to someone's house**, ABC ran away from there and came to his house, where he met the complainant and narrated the entire sequence of events to him. On these allegations, FIR, Annexure P-1, as aforesaid was lodged. (Highlighted portion is the correct translated version of the FIR, appended with the petition as Annexure P-1)

Counsel for the petitioner has been heard. He has argued that the allegations against him are false and that he has been named due to political rivalry in the village. It has been further submitted that the primary allegation is against Granthi Davinder Singh.

Submissions made by the counsel have been considered. Medical report of the child ABC, Annexure A-3, shows that the child was examined at a Government Hospital on 08.02.2020 at 2.15 PM. The child gave history of multiple episodes of sodomy since the last four months and mentioned that the last incident of sodomy as having taken place one week back. The nature of injuries inflicted upon the child have also been described in the medical report.

The allegations in the FIR are very specific. A Granthi of a Gurudwara sahib and his companion, Pradeep Singh, petitioner herein, have been named. An innocent child of a vulnerable and impressionable-

age of 14 years has been repeatedly subjected to unnatural sex by the predators. To make matters worse, the acts have been alleged to have been committed in the precincts of a holy place.

Considering the gravity of the offence and the fact that the victim is a minor boy of 14 years of age, the petitioner is not entitled to grant of anticipatory bail.

It is further clarified that the observations made hereinabove shall not be construed as an expression on the merits of the case.

20.03.2020

pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No