

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

206/2

1)

CRM-M-13200 of 2020

Date of Decision: 10.06.2020

Harjinder Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

2)

CRM-M-13258 of 2020

Gurnam Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. B.S. Bhalla, Advocate,
for the petitioners.

Mr. Bhupinder Beniwal, AAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By these petitions, the petitioners seek the concession of 'regular bail', upon FIR no.09, dated 29.01.2020, having been registered against them, alleging therein the commission of offences punishable under Sections 363, 366-A, 120-B of the IPC as also under Sections 3 and 4 of the Protection of Children from

Sexual Offences Act, 2012.

Mr. Bhalla, learned counsel for the petitioners, submits that there is no allegation of any rape having been committed upon the alleged victim, with the petitioners in CRM-M-13200 of 2020 also being minors aged 15 and 15½ of years of age, the allegation being that they enticed the alleged victims on the pretext of marriage, after which they took them to the house of the maternal grand-mother of petitioner no.1 Harjinder Singh, i.e. to the house of Gurnam Kaur who is the petitioner in CRM-M-13258 of 2020.

He further submits that even though they are minors, have been in custody since January 20, 2020.

Mr. Beniwal, learned Assistant Advocate General, Punjab, while opposing the petitions on the ground that even the provision of POCSO Act 2012, have been invoked, does not deny the fact that there is no allegation of actual rape, nor he does deny the fact that the petitioners in CRM-M-13200 of 2020 are school going minors.

That being so, without making any comment on the actual merits of the case, these petitions are allowed, with the petitioners ordered to be admitted to bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

June 10, 2020
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes