

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

CRM-M-15233-2020

Date of Decision : 24.06.2020

Suresh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ashok Singla, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

ALKA SARIN, J (ORAL)

Heard through video conferencing

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case FIR No.88, dated 06.05.2020 registered under Sections 452, 354, 354-A, 354-B and 506 of Indian Penal Code, 1860 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 registered at Police Station Khuhi Khera, District Fazilka.

Learned counsel for the petitioner has contended that the petitioner has been enticed and infact he has been implicated in the matter only for the reasons that the complainant's family owed an amount of Rs.20,000/- to the petitioner which they were unable to pay. He has further contended that the FIR itself has been lodged after a delay of 60 hours.

On 16.06.2020, notice of motion was issued in the matter. Learned State counsel had sought time to file a reply. Today, the reply has been filed. It has been stated in the reply that during investigation the statement of the minor child was recorded before JMIC, Fazilka under Section 164 of Code of Criminal Procedure, 1973 where the victim has confirmed the facts of the FIR in question.

That being so, I do not find any ground for grant of concession of anticipatory bail to the petitioner.

In view of the above, the present petition is dismissed.

Learned counsel for the petitioner at this stage prays that in case, as and when, the petitioner surrenders his petition for regular bail may be considered expeditiously in view of the fact that he has two minor children and an ailing wife. Accordingly, it is directed that in case the petitioner surrenders and files a petition for regular bail, the same be considered expeditiously by the concerned Court.

(ALKA SARIN)
JUDGE

24.06.2020
Manpreet

Whether speaking/reasoned Yes/No

Whether reportable Yes/No