

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

201

CRM-M-15527-2020 (O&M)
Date of decision : 24.08.2020

Shiv Chander Patel

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Puneet Sharma, Advocate
for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking bail in FIR No.452, dated 04.12.2019, registered under Sections 376, 323, 506 of Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Zirakpur, District SAS Nagar (Mohali).

The petitioner is step-father of the prosecutrix, who as per the affidavit filed by learned counsel for the petitioner, was a minor at the time of alleged occurrence. However, the complainant, mother of the prosecutrix and wife of the petitioner and the prosecutrix herself have turned hostile.

Learned State counsel submits that the medical report indicates that the crime was committed. However, under the pressure of the family,

the prosecutrix and the complainant being dependent on the petitioner, have not supported the case of the prosecution.

Heard.

The Court is unable to persuade its conscience to allow the present petition at this stage.

Dismissed.

In these circumstances, learned trial Court is directed to conclude the trial expeditiously, preferably within three months from today.

24.08.2020

Jyoti-II/Anjal

(JITENDRA CHAUHAN)

JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No