

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-15781-2020

Date of Decision:-21.09.2020.

Prabhjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Gagandeep Singh Sirphikhi, Advocate for the petitioner.

Mr. Gaurav Garg Dhuriwala, Senior DAG, Punjab.

SANJAY KUMAR, J. (Oral)

The petitioner is the sole accused in FIR No.0084 dated 16.08.2019 on the file of Police Station Ghuman, Police District Batala, registered under Sections 354-A, 511 and 376 IPC and Section 12 of The Protection of Children from Sexual Offences Act, 2012. By way of this petition filed under Section 439 Cr.P.C., he seeks grant of regular bail.

The Deputy Superintendent of Police, Sub-Division Sri Hargobindpur, Police District Batala, District Gurdaspur, filed a status report and a short reply opposing this bail petition. Therein, he stated that offences under Sections 323, 325 and 326 IPC were also added in this case and after investigation, a final report/*challan* was filed before the learned

Judicial Magistrate First Class, Batala, on 14.10.2019. The case was then committed to the Court of the learned Additional Sessions Judge, Gurdaspur, and charges were framed against the petitioner. He further stated that out of the 16 listed prosecution witnesses, 10 were examined and the remaining 6 were given up. In his short reply dated 19.09.2020, the Deputy Superintendent of Police stated that during the investigation, the Medico-Legal Report was received from the Civil Hospital, Batala, and sought leave to place the same on record.

Perusal of the Medico-Legal Report reflects that the age of the victim-girl was approximately 16 years and she suffered 7 injuries. Of these, 6 were on her face. It was her specific complaint that the petitioner had bitten her on her lips, nose and ear during his attempt to rape her. The Medico-Legal Report therefore supports the allegation levelled by the victim-girl against the petitioner. Given the nature of the offence committed upon a young girl and the corroboration supplied by the medical evidence, this Court finds no grounds to grant any relief to the petitioner at this stage, when the case is under trial and nearing completion.

The bail petition is accordingly dismissed.

(SANJAY KUMAR)
JUDGE

September 21, 2020.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.