

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 21793 of 2020
Date of Decision: 14.8.2020**

Sahil Singh @ Sahil

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Saurabh Kapoor, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is being taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 56 dated 18.3.2020 under Sections 363/366-A IPC and later on added Sections 376 IPC and Sections 3 and 4 of POCSO Act, 2012 registered at Police Station Shimlapuri, Ludhiana.

Learned counsel for the petitioner submits that petitioner has been in custody since 20.3.2020. He further submits that the petitioner and prosecutrix were friends and have been living in the same colony. The petitioner has been falsely involved in the present case and in fact he had tried to save the prosecutrix from drowning on 11.3.2020. He further submits that the statement of complainant Hardeep Singh (Annexure P-1) was got recorded on 10.3.2020 and the statement of his wife Daljeet Kaur (Annexure P-2) was recorded on 14.3.2020 whereas the present FIR was lodged on 18.3.2020 i.e after delay of seven days and the offences under

Section 376 IPC and Sections 3 and 4 of the POCSO Act were added later on. Learned counsel further submits that after registration of FIR, the matter was compromised between the complainant and the father of the petitioner and the affidavit duly sworn by complainant-Hardeep Singh is on record as Annexure P-6.

On the other hand, learned State counsel opposed the bail application.

Custody certificate by way of affidavit of Deputy Superintendent, Central Prison, Faridkot has been filed through e-mail. Copy of the same is taken on record.

In the present case, the allegations against the petitioner are that he had enticed away a minor girl and committed rape upon her. Statement of the prosecutrix had been recorded under Section 164 Cr.P.C. on 19.3.2020 and her medical examination was also got conducted on 20.3.2020. The allegations against the petitioner are serious in nature.

No case for grant of regular bail to the petitioner is made out.

The petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

August 14, 2020
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No