

CRM-M-30113-2020 (O&M)  
Date of decision: 03.11.2020

Gurpreet Singh

.....Petitioner

versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**

**Present:** Mr. Rajender Kumar, Advocate  
for the petitioner.

**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Notice to the official respondent-State.

Mr. B.S. Virk, DAG, Haryana has put in appearance and accepts notice on behalf of the official respondent-State. Copy supplied.

Mr. Mohit Rathee, Advocate has put in appearance and accepts notice on behalf of the complainant.

The allegations against the petitioner-Gurpreet Singh, in this first regular bail application under Section 439 Cr.P.C. in a case bearing FIR No.267 dated 23.05.2020 registered under Section 6 of

the POCSO Act and Sections 328, 365, 120-B of the Indian Penal Code (Sections 365, 365, 120-B of IPC and Section 6 of the POCSO Act deleted later on and Sections 363, 366-A of IPC and Section 4 of POCSO Act added later on) registered at Police Station Pehowa, District Kurukshetra, have been levelled by mother of a minor girl then aged around 14 years. In her complaint, she alleged that when the complainant and her husband had gone out, her daughter on their arrival, disclosed that on the day of occurrence, on 21.05.2020, their acquaintance, Ram Pyari came along with her son, Shainty, co-accused/non-applicant, and she was made to inhale intoxicating substance and when she regained conscious, both the accused-Shainty and present petitioner-Gurpreet Singh, had ravaged her in which Ram Pyari had assisted them leading to the registration of the present case.

Learned counsel for the petitioner *inter alia* contends that the petitioner is behind the bars since long time. The girl has not supported the stand of the police while recording her statement under Section 164 Cr.P.C. and has sought to claim that the parties have settled their dispute.

The learned State counsel does not displace the facts but has strongly opposed the grant of bail on the grounds that a minor girl has been defiled and thus, heinousness of the allegations, disentitles him any relief of bail.

Appreciating the submissions, admittedly, the girl was aged around 14 years at the time of occurrence. There are specific allegations in the FIR as to the role of the petitioner and his co-accused in defiling her. In view of seriousness of the allegations and heinousness of the offences, this Court does not find any ground to allow the bail to the petitioner.

The petition stands dismissed.

03.11.2020  
Neha

(FATEH DEEP SINGH)  
JUDGE

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