

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

CRM-M-33225-2020 (O&M)

Date of decision: 16.10.2020

Jugraj Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. S.S. Sandhu, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioner Jugraj Singh, aged about 50 years, an accused in FIR No.0163 dated 12.09.2020, for an offence under Section 354-A of IPC and Section 8 of Protection of Children from Sexual Offences Act, 2012, registered with Police Station Bareta, District Mansa.

Briefly stated facts of the case as per prosecution version are that, on 11.09.2020 at about 05.30 AM, the petitioner/accused Jugraj Singh took the complainant/prosecutrix (name withheld to conceal her identity) aged about 17 years, a student of 10+1 class at Government Sr. Sec. School, Dharampura and her younger sister, namely Beant Kaur from their house at Village Dharampura to Bareta on his motorcycle on the pretext of getting bag of his daughter from their relatives; the petitioner/accused dropped Beant Kaur at Sewa Kendar Bareta and took

the complainant/prosecutrix towards some *kaccha* passage and started doing obscene acts with her; the complainant/prosecutrix raised alarm, which attracted two persons who were having a morning walk, who intervened and saved her from the accused; on matter being reported to the police, the formal FIR was registered. The investigation in the case started.

Apprehending his arrest in this case, petitioner had approached the Court of Sessions at Mansa, seeking pre-arrest bail. However, the petition so moved by him was dismissed by Sessions Judge, Mansa, vide order dated 07.10.2020. Still feeling aggrieved, he has knocked at the door of this Court, praying for grant of similar relief.

Notice of motion.

Mr. H.S. Sullar, DAG, Punjab, accepts notice on behalf of the State and opposes the prayer made on behalf of the petitioner.

I have heard learned counsel for the parties besides going through the record.

The incidents of sexual offences and child abuse are increasing day by day. Child abuse causes mental shock and trauma to the victim, leaving permanent psychological scar. The people indulging in such type of perverse sexual activity are required to be dealt with firmly, so that it may prove to be deterrent for the potential criminals. In this case, the allegations against the petitioner are very grave and serious of indulging in child abuse, trying to outrage modesty of a teenaged girl and he does not deserve any sympathy of the Court by way of being granted anticipatory bail, rather, facts and circumstances of the case call for

denial of that relief to him. The custodial interrogation of the petitioner is found to be necessary for complete and effective investigation and in case the same is denied to the investigating agency that shall leave many gaps and loopholes, adversely affecting the investigation, which is uncalled for. Thus, finding no merit in the instant petition, the same stands dismissed.

16.10.2020

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(H.S. MADAAN)

JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No