

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

CRM M-34069 of 2020 (O&M)

Date of Decision: November 04, 2020

Navdeep Singh		Petitioner
	Versus	
State of Punjab		 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Atul Goyal, Advocate
for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Navdeep Singh who is in custody has come in this second regular bail application under Section 439 Cr.P.C. moved in FIR No. 53 dated 12.05.2018 under Sections 376, 342, 354, 294, 506 and 120-B IPC and Section of Protection of Children from Sexual Offences Act, 2012 Act Police Station Nurpur Bedi District Roopnagar as the first one

having been dismissed as withdrawn vide order dated 24.07.2020.

The brief allegations have come about by a girl whose date of birth is 16.10.1999 (approximately 17 years). In her allegations, the complainant states that two years prior to this occurrence in May 2018, accused non-applicant Simranjit Singh developed physical relations with the complainant on the pretext of marrying her. During the course of the same, this person as per the allegations clicked her photos in a compromising position. It is on the pretext of these photographs after intimidating the complainant, the accused used to defile her repeatedly threatening that he will make the photos viral. The said accused, thereafter, shared the photos with the present petitioner Navdeep Singh and later started pestering the complainant to oblige him as well and tried to chase and accost her for that. Both these accused in connivance with each other had been defiling the girl on a number of occasions and when the complainant asked the accused Simranjit Singh to marry her, the latter threatened her with dire consequence.

Shri Atul Goyal learned counsel for the petitioner *inter alia* contends that the petitioner is behind the bars for more 02 years and 04 months and the trial is not likely to be completed in the near future. It is submitted further that the girl is aged around 17 years and, therefore, is reflective that being a

mature of understandable age has fallen into this and now backed out of the same by levelling false allegations.

Mr. J.S. Ghumman, DAG, Punjab, the learned State counsel has strongly opposed the bail on the grounds of seriousness of the allegations and heinousness of the offence. It is the case of the learned State counsel that the girl admittedly is a minor and has been misused by the accused and in view of such a serious allegations disentitles him to any relief.

Heard.

From the records it is apparent that at the time of the occurrence, the girl was a minor. There has been clear cut allegations of intimidation for attaining a sinister purpose of misuse of the girl as at such a tender age. The mere incarceration of the petitioner is no extenuating circumstance to accept his plea of bail.

In view of the seriousness of the allegations disentitles the petitioner to any relief and as such the bail stands dismissed.

November 04, 2020

(FATEH DEEP SINGH)

amit rana

JUDGE

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