

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51500-2019

Date of Decision : January 27, 2020

Karamjit SinghPetitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. B.R.Rana, Advocate
for the petitioner.

Ms. Devaki Anand Sullar, AAG, Punjab,
assisted by ASI Balveer Singh.

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MANJARI NEHRU KAUL, J.

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No. 171 dated 18.08.2019 under Sections 363, 366A IPC, Section 8 of the Prevention of Children from Sexual Offences Act, 2012 registered at Police Station City Jagraon, District Ludhiana, during the pendency of trial.

Learned counsel submits that the petitioner has been falsely implicated in the FIR in question. It is contended that it is very evident that the prosecutrix as well as the petitioner were in a relationship as the prosecutrix and the petitioner had also approached this court by way of CWP No. 23769 of 2019 seeking protection to the life and liberty wherein the prosecutrix had stated that she was living with the petitioner of her own accord. It was further contended that even in her statement under Section

164 Cr.P.C. she had stated that she had voluntarily accompanied the petitioner and had been residing with him. It is also stated that the petitioner has been in custody since 24.10.2019 and the trial is unlikely to conclude in the near future.

The learned State counsel while opposing the bail submitted that no doubt CWP No. 23769 of 2019 had been filed but the fact remains that the prosecutrix was a minor and had been subjected to sexual assault.

In view of the above, no ground for bail is made out as the charge for trial is still underway and prosecution evidence has also not commenced.

Petition is dismissed.

27.01.2020
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No