

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

CRM-M No.53628 of 2019

Date of decision: 31st January, 2020

Baljit Singh @ Jeeta

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Sandeep Gors, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. Dy. Advocate General, Punjab
for the respondent.

FATEH DEEP SINGH, J.

Petitioner Baljit Singh alias Jeeta whose earlier regular bail application under Section 439 Cr.P.C. was dismissed by this Court on 03.05.2019, has come up afresh in this petition in case bearing FIR No.168 dated 24.08.2018 under Sections 376, 506 IPC and Sections 4 & 6 of Protection of Children from Sexual Offences Act, 2012 pertaining to Police Station Lopoke, District Amritsar. The allegations are that the complainant, an unmarried girl aged around 17 years claimed that on 19.08.2018 around 10:30 a.m. while she was alone at her home and her family members had gone out, the accused trespassed into the house and after forcibly dragging the girl into a room and latching the door, defiled her against her wishes and while leaving threatened her with dire consequences. It is thereafter the present case was got registered.

Learned counsel for the petitioner Mr. Sandeep Gors, Advocate has detailed at length that the girl was aged around 17 years and it was a consensual relationship and none of the medical evidence support the prosecution story. It is claimed that the petitioner is behind bars for the last more than one year and three months.

Learned State counsel Mr. C.L. Pawar, Sr. Dy. Advocate General, Punjab has vehemently argued that the petitioner is not entitled to any relief as during the trial he has made intimidatory influence upon the victim and therefore, if allowed bail would stifle the trial.

Heard.

The girl admittedly at the time of occurrence was a minor and alone at her home when her co-villager forcibly entered the house and defiled her against her wishes. The medical evidence is corroborative to this. Merely because the petitioner is in custody is no ground to show compassion in the light of overwhelming consequence of such a heinous crime which leaves indelible mark and trauma upon the young girl. The apprehension of the State that if allowed bail the petitioner might influence the witnesses is not unfounded. Finding no merit the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

January 31, 2020

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No