

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

CRM-M-439-2021 (O&M)

Date of decision: 07.01.2021

Preetpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. A.S. Sekhon, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioner Preetpal Singh, an accused in FIR No.89 dated 03.12.2020, for an offence under Section 376 IPC, registered at Police Station Sadiq, District Faridkot.

Briefly stated facts of the case as per prosecution version are that, criminal machinery in this case was set into motion by complainant (name withheld to conceal her identity referred to as complainant/victim), who in the written complaint submitted by her to the police stated that about 04 years earlier, while she was studying, then Preetpal Singh son of Tota Singh, resident of Village Virewala Kalan, Tehsil & District Faridkot (present petitioner) was acquainted

with her and he used to say that he would marry her; at that time, she was about 16 years old; according to the complainant/victim, she told Preetpal Singh that she would get married as per wishes of her parents and she was a minor; she did not know about marriage, however, Preetpal Singh developed physical relations with her on the pretext of marriage and whenever, the complainant/victim used to ask him about marriage, he put off the matter; the complainant/victim conceived twice but Preetpal Singh gave him medicines to get pregnancies terminated; ultimately, Preetpal Singh refused to marry the complainant/victim and complainant/victim came to know that he had been married at some other place; on such written complaint having been received, formal FIR was registered.

Apprehending his arrest in this case, petitioner/accused had approached the Court of Sessions at Faridkot, seeking pre-arrest bail by moving an application in that regard. His such application was, however, dismissed by learned Sessions Judge, Faridkot, vide order dated 15.12.2020. Feeling aggrieved, the petitioner has knocked at the door of this Court, praying for grant of similar relief.

Notice of motion.

Mr. J.S. Ghuman, DAG, Punjab accepts notice on behalf of the State and opposes the bail.

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

The allegations against the petitioner are very serious and

grave of developing physical relations with the complainant/victim while she was a minor on the pretext of getting married with her, in the process, she conceived twice, however, the petitioner is alleged to have got the pregnancies terminated by making the complainant/victim consumed some tablets. Such acts on the part of the petitioner cannot be taken lightly and have to be dealt with, with all the seriousness. His custodial interrogation is definitely required for complete and effective investigation and in case, the same is denied to the investigating agency that shall leave many gaps, loopholes and lacuna, adversely affecting the investigation, which is uncalled for. Thus, finding no merit in the instant petition, the same stands dismissed.

07.01.2021

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(H.S. MADAAN)
JUDGE

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