

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

Criminal Misc. No.M-6077 of 2021(O&M)

Date of Decision: December 14, 2021

Malkit Singh Vehla

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Manoj Kumar Palwal, Advocate
for the petitioner.

Mr.Ajay Sharda, DAG, Punjab.

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HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.112 dated 10.07.2019 under Section 376 of the Indian Penal Code and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012, Police Station Nihal Singh Wala, District Moga.

The allegations against the petitioner are that on 10.07.2019, he took the prosecutrix aged 10 years, a student of 4th standard, on his motorcycle to a distant place outside the residential area. There he committed rape upon her. On raising noise, she was saved from his clutches by the persons working in the nearby fields.

Ld. counsel for the petitioner has submitted that the allegations are false. In fact, there is a dispute between the families of the prosecutrix

and the petitioner regarding a passage leading to the house of the prosecutrix. The petitioner has been behind bars since 14.07.2019. The Trial of the case is making no headway due to Covid-19 pandemic situation.

On the other hand, Ld. Counsel for the State has opposed the petition. He has contended that the petitioner has committed a heinous crime of rape with a child aged 10 years, who has to suffer the trauma throughout her life. The prosecution has already examined 11 witnesses before the Trial Court, including the Investigating Officer, the Prosecutrix and her father. The prosecutrix and her father have fully supported the prosecution version.

In the above facts and circumstances, this Court does not find it a fit case for grant of bail.

Hence, the petition is dismissed.

Nothing expressed hereinabove, shall be construed as an opinion on the merits of the case.

December 14, 2021

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**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No