

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

CRM-M-18357 OF 2021

DATE OF DECISION : 30.04.2021

Gurjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Shiv Charan Bhola, Advocate with
Ms. Navdeep Kaur Bhola, Advocate,
for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petition herein for seeking anticipatory bail in case FIR No.31 dated 06.04.2021 registered under Sections 354-A/451 IPC and Section 8 of The Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to as "POCSO Act") at Police Station Badli Ala Singh, District Fatehgarh Sahib.

2. Per FIR, on 24.03.2021, at about 5.00 PM, when the prosecutrix (minor) was alone at home and cooking food in the kitchen, petitioner went to her house and tried to molest her.

3. Learned counsel for the petitioner argues that petitioner has been falsely implicated in the FIR question, as an after thought. He was not named in the FIR originally. There was previous enmity between the

families of petitioner and complainant and in order to take revenge, he has been now named by complainant. He further contends that petitioner has three minor daughters and therefore, he cannot commit such a crime, as alleged. Learned counsel further contends that there is unexplained delay of 12 days in lodging the FIR. The alleged incident took place on 24.03.2021, whereas the FIR has been registered on 06.04.2021. Challan is yet to be presented.

4. On the other hand, learned State counsel opposes the bail petition on the ground that prosecutrix is a minor. In her statement recorded under Section 164 Cr.P.C, she has reiterated her version as given by her to police on the basis of which FIR in question was registered.

5. I have heard learned counsel for the parties.

6. Keeping in view the sensitivity and nature of offence, no ground for grant of anticipatory bail to the petitioner is made out.

7. Dismissed.

APRIL 30, 2021
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(ARUN MONGA)
JUDGE

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No