IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-25664-2021
Decided on : 18.08.2021

Jagtar Singh @ Tari

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Mohit Sadana, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Harmesh Singh.

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MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No. 0085, dated 11.05.2021, under Sections 363, 354, 354-B of IPC and Section 12 of the POCSO Act, registered at Police Station Bhawanigarh, District Sangrur.

Vide order dated 07th July, 2021, while issuing notice of motion for 22nd July, 2021, the State was directed to file a detailed reply with respect to the submissions made by learned counsel for the petitioner as well as the material which had been collected by the investigating agency against the petitioner. Thereafter, in compliance to the aforesaid order, reply by way of affidavit of Sukhraj Singh, PPS, Deputy Superintendent of Police, Sub-Division, Bhawanigarh, District Sangrur, on behalf of the State was filed through email.

Learned State counsel while drawing the attention of this Court to the reply so filed by the State, has submitted that the submissions made by the learned counsel for the petitioner that on account of some animosity between a co-villager, he had been falsely implicated, is without any substance. Learned State counsel

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has submitted that the petitioner along with the co-accused had forcibly lifted the victim, a 13 years old girl, while she was on a visit to her grandparents house, which was in the vicinity of the house of co-accused Paramjit Singh. He has further submitted that after being forcibly lifted, the victim was taken by the accused to the house of co-accused Paramjit Singh, where they tried to outrage her modesty and sexually assault her. However, the victim while resisting the attempt, bit into the hand of the co-accused Paramjit Singh and raised a hue & cry, which attracted her paternal uncle to the spot. The paternal uncle rushed to the rescue of his 13 years old niece and saved her from the clutches of the accused persons.

Learned State counsel has thus vehemently opposed the prayer of the petitioner by urging that keeping in view the serious allegations levelled against the petitioner, he does not deserve the concession of anticipatory bail.

Heard.

Prima facie, there are serious and specific allegations levelled against the petitioner in the FIR in question of sexually assaulting a 13 years old minor, for which he does not deserve the concession of anticipatory bail.

Petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

August 18, 2021
J.Ram

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

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