

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

215

CRM-M-30973-2021 (O&M)
Date of Decision: 04.10.2021

Sunny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Karandeep Singh Sidhu, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab
assisted by ASI Hanbans Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide GD No.50 dated 26.05.2021, under Section 354-B IPC and Section 8 of POCSO Act in FIR No.99 dated 25.05.2021 at Police Station City Malout, District Sri Muksar Sahib, under Sections 452/365/342/295/323/148/149 IPC.
2. The DDR was lodged at the instance of victim, daughter of Surinder Kumar, aged about 16 years, wherein it is alleged that she is studying in Class 10+1 in Government Girls Senior Secondary School, Mandi Harji Ram, Malout. On 24.05.2021 at about 11:00 AM, when she was going to her uncle's house, Sunny (petitioner) met her on the way. It is alleged that Sunny frequently used to stand in the street and used to say "I love you, you come with me". When the complainant refused, the said Sunny threatened that he would cut his wrist. Upon the said threat, the complainant got scared. Sunny is alleged to have caught

- hold of the complainant from her hand and took her inside forcibly and took off the victim's T-shirt and touched her chest. The complainant pushed away Sunny, wore her T-shirt and came out in the street while raising hue and cry.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case, which is in fact a counter blast to FIR No.99 dated 25.05.2021. Learned counsel has further submitted that the falsity of the allegations would be evident from the fact that the said DDR came to be recorded two days after the alleged occurrence. It has also been submitted that, in any case, the petitioner has been behind bars since the last about 4 months and that challan already stands presented.
 4. Opposing the petition, learned State counsel has submitted that keeping in view the heinous nature of allegations, no case for grant of bail is made out. Learned State counsel has also submitted that the victim was a girl aged about 16 years and, as such, a strict view is required to be taken in the matter of grant of bail.
 5. I have considered rival submissions addressed before this Court.
 6. Though it is correct that specific allegations have been levelled in the DDR, but this Court cannot lose sight of the fact that the instant DDR came to be lodged 2 days after the lodging of the FIR against other relatives of the victim. In these circumstances, the entire allegations would require to be scrutinized minutely. In any case, the petitioner has already been behind bars for the substantial period of 4 months and challan already stands presented. The conclusion of trial is likely to consume time as not even a single PW has been examined so far.

released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

04.10.2021

(GURVINDER SINGH GILL)

VY

JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No