

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-34021-2021
Decided on : 25.08.2021

Sonu Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. B.S.Aulakh, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.395 dated 17.11.2020 registered under Sections 363, 366-A IPC,1860 at Police Station Lambi District Sri Muktsar Sahib.

Learned counsel for the petitioner *inter alia* contends that totally false allegations have been levelled against the petitioner of luring the victim, aged 12 years, on the pretext of performing marriage with her. He submits that in fact it was the parents of the victim, who were pressurizing her to solemnize marriage with the person, who was not acceptable to her and hence, she ran away from the house. He further submits that it was in this background the victim fled away from her house along with the petitioner as she was in a relationship with him. Since the reputation of the family of the victim was at stake, hence, this case was registered against the petitioner. It has also been contended by learned counsel that the victim is 15 years old and not 12 years old as alleged in the

FIR. Learned counsel submits that even in her statement recorded under Section 164 Cr.PC, the victim had herself stated that she left her house of her own accord and refused to subject herself to any medico-legal examination. Hence, a prayer has been made for extending the concession of bail to the petitioner.

Per contra, learned State counsel has vehemently opposed the prayer of learned counsel for the petitioner. He submits that no doubt the victim did not allege any wrong doing on the part of the petitioner and refused to subject herself to any medical examination, however, one cannot lose sight of the fact that the victim was a 12 year old girl, who was enticed away by the petitioner, aged 26 years. He further submits that charges have been framed and prosecution evidence is likely to commence on the next date of hearing. It has also been submitted that in case the petitioner is extended the concession of bail, there is every likelihood that he may tamper with material evidence and witnesses and try to influence them to depose in his favour.

Heard.

Prima facie there are serious allegations levelled against the petitioner for which he does not deserve the concession of bail. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

25.08.2021
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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No