

CRM-M-29926-2020

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

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Date of decision:19.04.2021

Prabdeep Singh

...Petitioner

Versus

State of U.T. Chandigarh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ankit Bishnoi, Advocate,
for the petitioner.

Mr. A.M.Punchhi, Public Prosecutor with
Mr. Anupam Bansal, Advocate, for U.T. Chandigarh.

Mr. Harpreet Singh Mann, Advocate,
for respondent No.2.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.250 dated 29.07.2019, registered at Police Station Sector 39, Chandigarh, under Section 376 IPC.

As per the prosecution version, the petitioner had made physical relations with victim-respondent No.2 and in the month of January, 2019, she came to know that she was pregnant. The victim was admitted in the Civil Hospital, Gidderbaha, District Muktsar Sahib, due to her pregnancy, where she gave birth to a male child on 27.08.2019. The blood samples of baby of the victim-respondent No.2 and the petitioner were taken and sent to CFSL, Chandigarh, for analysis. As per the report,

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the petitioner is the biological father of the baby of the victim.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that he is ready to solemnize marriage with respondent No.2, and that he has been in custody since 02.10.2019. It is also argued that the petitioner is even ready to look after the baby child but respondent No.2 has not only refused to accompany the petitioner, but also to look after the child.

While opposing the aforesaid submissions, learned State counsel assisted by the learned counsel for the complainant, submits that though charges have been framed, the complainant is yet to be examined and there is every chance of winning over the witnesses, if the petitioner is enlarged on bail.

I have heard the learned counsel for the parties.

There are serious allegations against the petitioner that he made physical relations with the victim following which she became pregnant and had given birth to a child. As per the report, the petitioner is the biological father of the male baby of the victim. Even the petitioner being the biological father of male baby, had deserted the victim as well as the baby.

The charges have been framed, but the victim is yet to be examined. So there remains a reasonable apprehension that the petitioner may tamper with or win over, coerce, or intimate the witnesses.

Keeping in view the allegations against the petitioner, the period of custody of about 18 months, in my considered opinion, melts into insignificance.

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In view of the above discussion, no case for the grant of regular bail to the petitioner is made out.

Dismissed.

19.04.2021

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No