

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

105

**CRM-M-50812-2021
Decided on : 06.12.2021**

Kuldeep Chand and another

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Amit Dhawan, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, AAG, Punjab
assisted by SI Amandeep Kaur.

MANJARI NEHRU KAUL, J. (Oral)

By way of present petition filed under Section 438 Cr.P.C., petitioners are seeking grant of anticipatory bail in case FIR No. 57, dated 14.05.2018, under Sections 363, 366-A of IPC and under Sections 3, 4, 8 of the Protection of Children From Sexual Offences Act, 2012, registered at Police Station Mehatpur, District Jalandhar Rural (Annexure P-3).

Learned counsel for the petitioners submits that both the victims, who are sisters, returned back to their home soon after registration of the FIR in question and there were no allegations of any wrong doing against the petitioners in the FIR in question except that the victims had been enticed away on the pretext of marriage.

Learned State counsel on instructions has, however, controverted the submissions made by the counsel opposite. She has submitted that both the victims aged 17 years and 16 years, respectively, were recovered after two years of the registration of the FIR in question.

She has further submitted that on their recovery, in their respective statements recorded under Section 164 Cr.P.C., they levelled allegations of rape against both the petitioners, as a result of which, offences under Sections 376, 323, 342, 506 of IPC stand added now.

Learned State counsel has further submitted that since the petitioners were declared proclaimed offenders on 17th November, 2018, they are not entitled to the extra ordinary concession of anticipatory bail.

I have heard learned counsel for the parties and perused the material on record.

In the facts and circumstances, as enumerated hereinabove and also in the wake of the petitioners having been declared proclaimed offenders on 17th November, 2018, no ground to extend the extraordinary concession of anticipatory bail to the petitioners, is made out.

Petition stands dismissed accordingly.

(MANJARI NEHRU KAUL)
JUDGE

December 06, 2021

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No