

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220

CRM-M No. 2293 of 2021 (O&M)

Date of Decision:25.01.2022

Gurpreet Singh

...Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Mohit Sadana, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the second petition, the petitioner seeks regular bail in case FIR No. 239 dated 05.08.2020, registered under Sections 376 and 376 (2) (n) IPC, (now Section 420 IPC has been added by the police) at Police Station City Sangrur, District Sangrur.

Learned counsel for the petitioner states that the petitioner has been falsely implicated in the present case. Rather, while stepping into the witness box in the cross-examination, the complainant has stated that it is incorrect to suggest that accused has committed rape with her. It is further submitted that the statement of one Poonam Aggarwal was recorded under Section 161 Cr.P.C. in which, she has stated that the complainant had worked in the library from the month of August, 2018 to March, 2019,

which shows that the complainant has not come with true facts while recording her statement.

On the other hand, learned State counsel while opposing the bail petition of the petitioner, has drawn the attention of this Court to examination-in-chief of the prosecutrix which was recorded by the Additional Sessions Judge, Sangrur on 19.02.2021 in which she has specifically stated that the petitioner on the pretext of performing marriage with her had committed rape on her without her consent. It is further submitted that out of 21 prosecution witnesses 11 witnesses have been examined.

I have heard learned counsel for the parties.

The prosecutrix while stepping into the witness box, specifically stated that without her consent the petitioner had committed rape with her. She was found pregnant by 3 ½ months, which was informed to the petitioner, who has been assuring her to perform marriage with her.

In view of above, no case is made out for granting regular bail.

Dismissed.

However, nothing hereinabove stated shall be construed as an expression of opinion on the merits of the case.

(HARNARESH SINGH GILL)
JUDGE

January 25, 2022

Jyoti-IT Whether speaking/reasoned Yes/No Whether Reportable Yes/No