

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

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**CRM-M-6171-2022
Decided on : 07.03.2022**

Dharminder Singh @ Dhalwinder Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. GBS Dhillon, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Prabjeet Singh.

MANJARI NEHRU KAUL, J. (Oral)

By way of present petition, the petitioner is seeking grant of anticipatory bail, in case FIR No. 01, dated 01.01.2022, lodged u/s 354, 354-A, 456 of IPC and Section 8 of the POCSO Act, registered at Police Station Sadar Abohar, District Fazilka.

Learned counsel for the petitioner submits that the unexplained delay of almost a week in the lodging of the FIR in question from the date of alleged occurrence, by itself creates a big question mark on the truthfulness of the allegations levelled. Learned counsel contends that the victim who is a 15 year old minor, was in love with the petitioner aged 35 years and had been sending him messages, which find support from Annexure P-1. However, the petitioner, despite not accepting her advances, was falsely implicated on account of a history of animosity between him and the complainant's family.

On being put to notice, learned State counsel has put in appearance and vehemently opposed the prayer made by the counsel opposite for extending the extraordinary concession of anticipatory bail to

the petitioner.

Learned State counsel on instructions submitted that there were serious allegations levelled against the petitioner of entering the house of the victim, who admittedly is a minor aged 16 years, and thereafter, indulging in obscene acts with her. Learned State counsel still further submitted that the submissions made by the counsel opposite that in fact, it was the victim, who had been sending whatsapp messages to the petitioners and was thus a consenting party, would be of no consequence, as the victim admittedly is a minor. Learned State counsel still further submitted that it was also a matter of record that the petitioner, aged 35 years, had been indulging in similar obscene acts with minor girls and women in the village. Learned State counsel also submitted that in her statement recorded under Section 164 Cr.P.C., the victim, had reiterated the allegations levelled in the FIR in question.

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

Prima facie there are specific allegations levelled against the petitioner in the FIR in question coupled with his antecedents, as submitted by the learned State counsel, this Court does not deem it appropriate to extend the extraordinary concession of anticipatory bail to the petitioner.

Petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

March 07, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*