

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(112)

CRM-M-13309-2022 (O&M)

Date of decision: 30.03.2022

Sonu

...Petitioner

Versus

State of U.T., Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Subhash Kumar, Advocate
for the petitioner.

...

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 for grant of concession of interim bail for a period of 4 days w.e.f. 30.03.2022 to 02.04.2022 on the eve of retirement of the father of the petitioner, in FIR No.171 dated 28.10.2021, registered for offences under Sections 376 (2) (n), 506, 509 and 341 of the Indian Penal Code, 1860 {Section 6 of Protection of Children from Sexual Offences Act, 2012 (for short "POCSO Act") was added later on}, at Police Station Central Sector 17, U.T., Chandigarh (Annexure P-1).

FIR (Annexure P-1) has been registered by a minor girl on the allegation that she was living as a paying guest in Sector 16, Chandigarh,

where she came in contact with the petitioner and they became friends. He forcibly developed physical relationship with her. It has been alleged by the minor that the petitioner has been physically assaulting her, intimidating her, and has clicked her objectionable photographs, which he has threatened to upload on the internet. Allegation has also been levelled that the petitioner had shown her a pistol and threatened to throw acid on her face.

Notice of motion.

On asking of the Court, Mr. Kuldeep Tiwari, APP, U.T., Chandigarh accepts notice on behalf of the respondent-State. Upon instructions from ASI, Rajeswar Singh, he submits that the investigation has been completed, challan has been presented and charge has been framed, but the prosecutrix is yet to be examined.

Considering the fact that the prosecutrix is yet to be examined, the petitioner cannot be ordered to be released on interim bail, more so, for an occasion, where his presence is not necessary.

Petition is dismissed.

(SUVIR SEHGAL)
JUDGE

30.03.2022
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes