

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-30391-2022  
Reserved on: 17.08.2022  
Pronounced on:26.09.2022

Gopal ...Petitioner

Versus

State of Punjab ...Respondent

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Harshit Jain, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, DAG, Punjab.

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**ANOOP CHITKARA, J.**

| FIR No. | Dated      | Police Station                  | Sections                              |
|---------|------------|---------------------------------|---------------------------------------|
| 73      | 13.06.2021 | City Dhuri,<br>District Sangrur | 4, 6, 8, 10 of POCSO Act &<br>377 IPC |

1. The petitioner, incarcerated upon his arrest in the FIR captioned above, came up before this Court under Section 439 of Code of Criminal Procedure, 1973 (CrPC) seeking bail.
2. As per para 6 of the bail petition, the petitioner has no criminal antecedents.
3. Ld. Counsel for the petitioner contends that the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
4. Ld. counsel representing the State opposes bail.

**REASONING:**

5. The petitioner allegedly penetrated his penis in the anus of a child aged 3 years and 10 months. The scientific evidence corroborates the allegations because of the matching of DNA. An analysis of the allegations and evidence collected does not warrant the grant of bail to the petitioner.
6. In the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner fails to make a case for bail at this stage.
7. Any observation made hereinabove is neither an expression of opinion on the

merits of the case nor shall the trial Court advert to these comments.

**Petition dismissed.** All pending applications, if any, stand disposed.

Trial be expedited.

(ANOOP CHITKARA)  
JUDGE

**26.09.2022**

Jyoti-II

Whether speaking/reasoned: Yes

Whether reportable: No.