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

CRM-M-5018-2023

Date of Decision:- 13.04.2023

PARAMJIT SINGH @ PARAMPREET SINGH @ PEETA

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Monty Goyal, Advocate for the petitioner.
Mr. M.S.Joshi, Addl. A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

1. The petitioner – Paramjit Singh @ Parampreet Singh @ Peeta has filed the instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.165, dated 16.07.2022 under Section 376/506 of IPC and Section 6 of Protection of Children from Sexual Offence Act, 2012, registered at Police Station Sidhwan Bet, District Ludhiana, Rural.

2. The facts of the case are that the prosecutrix gave her statement to the police that she is 15 years old. She studied upto 5th standard. Due to poverty she started working as a maid in the house of Malkit Singh Fauji. He was having a son namely Sonu Singh, his wife Soni and three children. She used to work from 7 am to 8 pm and was given salary of Rs.12,000/- per month. She met Paramjit Singh @ Peeta in the house of Malkit Singh,

who was brother-in-law of Sonu Singh. He allured her with his talk and maintained illicit relations with her by giving false promise of marriage. She tried to stop him but he threatened to kill her. He continued to do so for about 2 months. Out of fear she did not tell anybody. She stopped working there for the last about 4 months. She had gone to the house of her Bua Savita where she started having stomach pain. She was taken to Doctor where it was revealed that she was 8 months pregnant. Thereafter the matter was reported to the police.

3. Learned counsel for the petitioner argued that he is falsely implicated in this case. No such occurrence ever took place. The chargesheet has been framed against him which is Annexure P-2. Thereafter the statement of the prosecutrix has been recorded as PW1 which is Annexure P-4. The prosecutrix has not supported her own version and was declared hostile. The statement of Santosh Mandal PW2 father of the victim is also recorded which is Annexure P-5. Even he has not supported the prosecution story. He was arrested in this case on 17.07.2022 and since then he is in custody. The trial of this case may take time. He will abide by the terms of the bail order. It is prayed that his regular bail application may be allowed.

4. Learned counsel representing the State filed the status report. It is argued that there are serious allegations against the present petitioner. The victim was 8 months pregnant when the matter was reported to the police. She gave birth to a female child. Her supplementary statement was also recorded. The challan is also presented and till date two prosecution witnesses have been examined. Considering the gravity of the offence, the regular bail application filed by the petitioner may kindly be dismissed.

5. I have considered the arguments and have gone through the record. The prosecutrix levelled serious allegations against the present petitioner for which he has been chargesheeted and is facing trial. At the same time, it cannot be ignored that when the prosecutrix is examined as PW1 she did not support her own version and was declared hostile. The copy of her statement is Annexure P-4. Similarly, Santosh Mandal father of the victim also stepped into the witness box as PW2 and he did not support the prosecution version. His statement is Annexure P-5. The rest of the prosecution witnesses are yet to be examined. The trial of this case may take long time. Therefore, considering these facts, without expressing my mind on the merits of the case, the regular bail application filed by the petitioner Paramjit Singh @ Parampreet Singh @ Peeta is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court.

The bail application is, accordingly, allowed.

13.04.2023

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No