

(123)

2023:PHHC:082020

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

CRM-M-30459 of 2023

Date of Decision: June 14, 2023

Sukhjinder Singh @ Shatty

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. G.S. Sandhu, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C has been made for grant of anticipatory bail in case FIR No.268 dated 17.10.2022 registered under Sections 306 IPC and 120 B IPC at Police Station Tanda District Hoshiarpur.

FIR was lodged on the complaint of Smt. Paramjit Kaur, as per which her daughter “S” aged 17 years had developed intimacy with the petitioner. Complainant was told that they had crossed all the limits and wanted to marry with each other. Complainant consented for the same. However, petitioner refused to marry her daughter by telling that he first wanted to go abroad for ten years and on return, he will marry her. On 15.10.2022, “S” went to meet the petitioner but on return, she told the complainant that she was forced to make physical relations by the petitioner on the pretext of marriage and now the petitioner had refused to marry her. She then consumed poisonous substance and put her life to an end.

It is contended by learned counsel for petitioner that there is

no allegation of abetment; that the petitioner never refused to marry; and that even otherwise, deceased was not of marriageable age and that he be granted anticipatory bail.

Notice of motion.

Ms. Ramta K. Chaudhary, DAG, Punjab, accepts notice on behalf of the respondent- State.

Learned State Counsel has strongly opposed the bail petition by pointing out that deceased was less than 17 years, with whom the physical relations were made by the petitioner and so, the offence under the provisions of POCSO Act is also made out.

Having regard to the facts and the circumstances noticed above, no ground to grant anticipatory bail is made out.

Dismissed.

June 14, 2023

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(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking:

Whether reportable:

Yes/No

Yes/No