

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38520-2022 (O&M)

Date of Decision:- 27.02.2023

Rahul

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. J.S. Thakur, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

ALOK JAIN, J. (Oral)

Prayer is for grant of regular bail to the petitioner in case FIR No.65 dated 27.06.2022, under Section 354-A IPC and Section 8 of Protection of Children from Sexual Offences Act (Amended) 2012,2019, registered at Police Station Cantt. Jalandhar, District Jalandhar Commissionerate.

Learned counsel for the petitioner submits that the challan has been presented and the charges have been framed and the trial is likely to take some time. He further submits that the petitioner is in custody since last more than 08 months.

The primary argument raised by learned counsel for the petitioner is that in fact, all the averments in the FIR are concocted and

tutored only for the reason that the petitioner was in a relationship with the mother of the prosecutrix, who is the estranged wife of the complainant.

Heard.

After going through the records, it has transpired that the complainant is none other than the father of the prosecutrix. It was only on petition of habeas corpus filed before this Court that the child was recovered and thereafter, the child made a statement in presence of the Judicial Magistrate, Jalandhar, wherein, she had categorically leveled the allegations against the petitioner.

This Court is of the opinion that the grant of regular bail to the petitioner will shatter the confidence of the prosecutrix, who has such a tender age and has allegedly already gone through a lot of stress.

Finding no merits in the present petition, the present petition is dismissed.

27.02.2023

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(ALOK JAIN)
JUDGE

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