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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47541-2022

Date of Decision:- 15.02.2023

AMANDEEP SINGH ALIAS AMANDEEP SINGH BOXER

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Barjinder Singh, Advocate
for the petitioner.

Mr. Mohinder Singh Joshi, Additional A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

The petitioner – Amandeep Singh @ Amandeep Singh Boxer has filed the instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 33 dated 18.03.2022, under Sections 376, 376(2)F, 376(2)N of IPC and Section 6 of POCSO Act, registered at Police Station City-1 Sangrur, District Sangrur.

The facts of the case are that Gurpreet Kaur – prosecutrix gave her statement to the police that her elder daughter i.e. the victim having date of birth 21.06.2006 was studying in 10th class. Considering her aptitude, she was enrolled with coach Gurditpuri for the game of boxing at Heroz Stadium, Banasar Bagh, Sangrur in September, 2020. There was one senior boxer Amandeep Singh, who allured his daughter to join him and would help her in getting scholarship of Rs. 10,000/- per month. His

daughter left coaching from Gurditpuri and started training with Amandeep Singh coach. In March, 2021 he took his daughter to Delhi for scholarship. She was kept in a hotel for 3-4 days. She was given some intoxicant and alcohol and he maintained physical relations with her minor daughter. He used to call his daughter during odd hours and she was sexually assaulted. When the brother of complainant came to know about the activities of coach Amandeep Singh, she was stopped from getting the training. She was told to concentrate on her studies. She joined tuition classes at Barnala in January, 2022. However, Amandeep Singh followed her and gave her mobile phone in which he exchanged obscene messages and he continued meeting his minor daughter. He used to click objectionable photographs of his daughter in the car from January, 2022 till 12.03.2022. With these allegations, present FIR has been registered.

Learned counsel for the petitioner argued that he was falsely implicated in this case due to professional rivalry. The alleged victim had left the coaching of Gurditpuri coach and because of this reason, he is falsely implicated in this case. The petitioner is in custody since long. All the material witnesses have been examined who have not supported the prosecution case. He is ready to abide by the terms of bail order. It is prayed that his regular bail application may be allowed.

Learned counsel representing the State opposed the bail application taking the stand that the victim was a minor at the time of alleged offence. The allegations are specific and serious in nature. The statements of other prosecution witnesses are yet to be recorded. Therefore, the petitioner is not entitled to be released on bail.

I have considered the arguments and have gone through the record carefully. As per the detailed status report, challan in this case was

presented on 17.05.2022. The charge-sheet has been framed on 04.08.2022. It is a matter of record that the statement of victim as PW-1 has been recorded, which is Annexure P-4, where she has not supported the prosecution version. Similarly, the statement of complainant Gurpreet Kaur – PW3 is Annexure P-5. She has also not supported the prosecution case. In para no. 3 of the status report, there is reference of DNA test report. The petitioner was arrested in this case on 18.03.2022 and since then, he is in judicial custody. Both the material witnesses have been examined and now there is no chance of influencing them. Trial of this case may take some time. Therefore, considering the aforesaid facts and without expressing my mind on the merits of the case, the regular bail application filed by the petitioner – Amandeep Singh @ Amandeep Singh Boxer is allowed. He is ordered to be released on bail to the satisfaction of trial Court/Duty Judge concerned.

The petition is, accordingly, accepted.

15.02.2023
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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No