

294

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-58568-2022

Date of Decision:- 14.03.2023

VIKRAMJIT SINGH @ BIKRAMJEET SINGH @ VICKY

....Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Anand Kaushal, Advocate
for the petitioner.

Mr. M.S.Joshi, Addl. A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

The petitioner – Vikramjit Singh @ Bikramjeet Singh @ Vicky has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 168 dated 09.08.2022 under Sections 376, 506 of the IPC and under Section 4 of POCSO Act, registered at Police Station Lopoke, District Amritsar Rural, Amritsar.

The facts of the case are that the prosecutrix, aged about 16 years gave her statement to the police that on 07.08.2022, she had gone to bring milk from the shop of Captain situated in the chowk, Village Chindan. At about 10:15 A.M, when she reached the shop of Captain, it was closed, therefore, she inquired from Vikramjeet Singh @ Vicky, who was standing in front of Rana Barber shop. The said Vikramjeet Singh @ Vicky dragged her inside the barber shop by holding her arm and committed forcible rape and threatened her not to disclose about the

incident to anybody, otherwise, she would be killed. Out of fear, she did

not disclose this fact to anybody. Ultimately, she disclosed about the incident to her father and she came along with her father to lodge the report. With these allegations, present FIR has been registered.

Learned counsel for the petitioner argued that a false FIR has been registered against him due to some misunderstanding. He was having relationship with the complainant but he has not committed rape. A false FIR has been got registered under the pressure of parents of the prosecutrix. His anticipatory bail application has been wrongly declined by the learned Additional Sessions Judge, Amritsar vide order dated 14.09.2022, which is Annexure P-2. He is a young boy. His career will be ruined. He has also filed quashing petition on the basis of compromise. Copy of the petition and copy of order dated 18.11.2022 are Annexures P-6 and P-7 respectively. The matter has been compromised between the parties. He is ready to join the investigation. It is prayed that his anticipatory bail application may be allowed.

Bail application is opposed by learned counsel representing the State. Detailed status report is filed. It is pointed out that the prosecutrix was born on 01.09.2006 and she was 15 years 11 months old at the time of said incident. The medical record and the report of laboratory is also received which supports the prosecution version. Her statement was recorded under Section 164 Cr.P.C. in which she has confirmed her version before the Judicial Magistrate, Sub Division Ajnala, Amritsar. The present petitioner is yet to join the investigation. The factum of compromise is denied for want of knowledge. Considering the gravity of offence, the petitioner is not entitled to be released on anticipatory bail.

I have considered the arguments and have gone through the record carefully. As per the facts narrated above, the present FIR has been

registered on the statement of prosecutrix/victim who is a minor girl. As per the status report, she had confirmed the aforesaid facts, when her statement was recorded before the Magistrate under Section 164 Cr.P.C. The allegations are serious. The petition filed for quashing of FIR has been withdrawn vide order dated 18.11.2022 in CRM-M-53638-2022 (Annexure P-7). The present petitioner is yet to join the investigation. Considering the gravity of offence, I do not find a fit case for grant of anticipatory bail to the petitioner – Vikramjit Singh @ Bikramjeet Singh @ Vicky and the same is, accordingly, declined.

14.03.2023
lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No