



CRM-M-12092-2024

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

CRM-M-12092-2024

Date of decision: 27.08.2024

Rajpreet @ Teji @ Raja**....Petitioner****Versus****State of Punjab****....Respondent****CORAM: HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Neeraj Madaan, Senior DAG, Punjab.

Mr. G.S. Rawat, Advocate
for respondent No.2.

AMARJOT BHATTI, J (Oral):

1. The petitioner – Rajpreet @ Teji @ Raja has filed petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 92, dated 22.07.2022, under Sections 363, 366, 376 IPC and Sections 3 and 4 POCSO Act, 2012, registered at Police Station Mehatpur, District Jalandhar Rural.

2. As per the facts of the case, Kulwinder Singh complainant gave a statement to the police that on 22.07.2022, he along-with his wife Baljeet Kaur had gone to the house of his elder brother for some house-hold work. His daughter i.e. the victim and son Deepak were present in the house. At about 11.30 A.M. when they returned they saw that Deepak was sleeping and his daughter aged about 17 years 11 and half months was not present in the house. They searched for his daughter in neighborhood and the house of his relatives but could not locate her.

Ultimately, matter was reported to the police. During investigation, alleged

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Class, Nakodar on 23.09.2022 and her statement was recorded under Section 164 Cr.P.C. After completion of investigation, challan was presented in the Court.

3. Learned counsel for the petitioner has argued that first anticipatory bail application filed by the petitioner was dismissed as withdrawn in CRM-M-14637-2023 vide order dated 19.05.2023. Thereafter, he was arrested in this case and was sent to judicial custody. It is pointed out that the alleged victim had left the house on her own. She has confirmed this fact in her statement recorded under Section 164 Cr.P.C. The victim had refused for medical examination. Now statement of the victim has been recorded in the Court as PW-5 where she again did not support the prosecution case. Now, she is residing with the family of petitioner. It is prayed that petitioner will appear before the trial Court on each and every date of hearing. He may be granted regular bail.

4. Bail application is opposed by learned counsel representing State. Detailed status report has been filed, according to which it is confirmed that victim categorically stated in her statement under Section 164 Cr.P.C. that she was staying with the petitioner in live-in-relationship. Said statement is Annexure R-1. Challan was presented on 25.01.2023 and after framing of charge sheet five prosecution witnesses were recorded including the victim. Learned counsel for respondent No.2 is present in the Court who confirmed that the victim is residing with the parental family of petitioner and she does not oppose the regular bail application.

5. I have considered the arguments and have gone through the record. Trial in this case is under progress. Statement of victim is recorded as PW-5 where she did support the prosecution case. Statement of victim



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recorded under Section 164 Cr.P.C. is Annexure R-1. It is alleged that at present she is residing with the family of present petitioner. Trial of this case is likely to take sometime. Considering that the statement of victim as PW-5 is already recorded, therefore without expressing my mind on merits of the case, regular bail petition filed by the petitioner – Rajpreet @ Teji @ Raja is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

- 6. The petition is accordingly, accepted.
- 7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

27.08.2024
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- 1. Whether speaking/ reasoned : Yes /No
- 2. Whether reportable : Yes /No