



104

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25549-2024 (O&M)
Date of decision: 30.05.2024

Jagir Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

Mr. Devansh Khanna, Advocate for the complainant.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.116 dated 15.11.2023 under Sections 376 & 506 of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station PS Women, District Police Commissionerate Amritsar.
2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner is landlord of the victim. The petitioner has asked father of the prosecutrix to vacate the house, as he has not paid any rent for the last 02 years. It is further contended that there is no corroborative material with the prosecution to indicate complicity of the petitioner and the complaint was made after the petitioner left India and even there is no medical evidence.



3. Learned State counsel, in compliance of the order dated 27.05.2024, has produced on record the reply by way of affidavit of Anju Bala, PPS, Assistant Commissioner of Police, Crime Against Women, Amritsar dated 30.05.2024 in the Court today and the same is taken on record. Learned State counsel, assisted by learned counsel for the complainant, opposes the prayer made by the petitioner on the ground that the prosecutrix is minor and there are serious allegations against the petitioner as she has made specific allegations against him, in her statement recorded under Section 164 Cr.P.C. It is further submitted that the petitioner was earlier involved in FIR No.153 of 2001 under Sections 376, 34 of IPC, registered at Police Station B-Division, Amritsar. As such, keeping in view the seriousness of the offence, the petitioner does not deserve the concession of anticipatory bail.

4. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, this Court finds no ground to grant anticipatory bail to the petitioner.

5. Keeping in view the serious allegations levelled against the petitioner, his custodial interrogation is required.

6. Accordingly, present petition is dismissed.

[HARPREET SINGH BRAR]
JUDGE

30.05.2024
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No