



CRA-S-3612-2023 (O&M)
DATE OF DECISION : 14.11.2024

MANPREET SINGH MARKANDA ... APPELLANT
V/S
STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

Present: Mr. D.S.Malwai, Advocate for the appellant.
Ms. Sakshi Bakshi, AAG, Punjab.
Mr. A.S.Brar, Advocate for
Mr. Gajender Singh, Advocate for respondent No.2.
* * *

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present appeal is for setting aside the order dated 03.11.2023 passed by the learned Addl. Sessions Judge, Moga whereby the regular bail of the appellant has been declined in FIR No. 72 dated 09.08.2023 under Sections 354, 354-B IPC, Sections 9 & 10 of Protection of Children from Sexual Offences Act, Section 3(1) of SC & ST Act, registered at Police Station Badhni Kalan, District Moga.
2. I have heard the counsel for the parties and perused the record.
3. Custody certificate reflecting the custody of the petitioner as 01 year, 02 months and 30 days has been taken on record.
4. The specific allegations against the petitioner, who is running an institute in the area are that on 30.07.2023 during the whole night the prosecutrix was beaten up and under the influence of liquor, the prosecutrix was sexually harassed. She was allegedly kept for the whole night in a room by the appellant. There is another case registered against the

appellant pending trial in FIR No. 77 dated 13.08.2023 under Sections 376(2), 342, 506 IPC, registered at Police Station Badhni Kalan. The age of the prosecutrix is 17 years whereas the appellant is 46 years of age. It has also been informed that the trial is at the fag end.

5. In view of these allegations, the appellant is not entitled for concession of regular bail. The order passed by the trial Court is upheld and the present appeal stands dismissed. However, keeping in view the custody of the appellant as 01 year, 02 months and 30 days, the learned trial Court is directed to conclude the trial expeditiously.

6. Pending miscellaneous application(s), if any, shall also stand disposed of.

14.11.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No