

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

211

CRM-M-7788-2025

Date of decision : 21.05.2025

Robin alias Babar

..... Petitioner

V/S

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. J.S. Mahal, Advocate for petitioner.

Mr. Amit Shukla, DAG, Punjab.

Mr. Harvinder Singh, Advocate for complainant.

AMARJOT BHATTI J. (ORAL)

1. Petitioner - Robin @ Babar filed instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.0020 dated 15.04.2024, registered under Sections 354, 506 of IPC, 1860 (Section 8 of Protection of Children from Sexual Offences Act, 2012 added later on), at Police Station Kahnuwan, District Gurdaspur (Annexure P-1).
2. As per facts of the case, complainant 'KK' gave her statement that she is mother of two daughters and two sons. The victim 'RK' age about 10 years was studying in 6th Class in Government Adarsh School of their village. On 11.04.2024, she along with her three children had gone to Anandpur Sahib and her husband and the victim 'RK' were present at home. On 13.04.2024, when she returned home the victim told her that on 11.04.2024 when her father had gone for his work, she went to the house of her aunt in neighbourhood. At about 9.3-P.M. she along with her aunt's daughter aged about 04 years came home to fetch milk and when she was going towards the house of her aunt, keys of the house fell on the way. She again went back in search of keys and on the way Robin @

Babar told her that he had thrown the keys in front of the door of the church. She went there to pick up the keys and on this Robin @ Babar closed her mouth and took her towards the backside of the church forcibly and started kissing her. He touched her in an inappropriate manner. While he was teasing, he lifted his hand from her mouth and the victim started raising alarm. On this, he ran away from there by scaling the wall of church. With these allegations the present FIR has been registered.

2. Learned counsel for petitioner argued that the allegations levelled against him are false. His anticipatory bail application was declined without proper appreciation of the facts of the case vide order dated 17.01.2025 by learned Additional Sessions Judge, Fast Track Court, Gurdaspur. At present matter has been compromised and one CRM-M-8009-2025 (Annexure A-2) has been filed for quashing of FIR on the basis of compromise dated 28.01.2025 which is annexed as Annexure A-1. He is ready to abide by the terms of bail order. It is prayed that his anticipatory bail petition may be allowed.

3. Bail petition is opposed by learned counsel representing State. Status report is also filed. It is pointed out that there are serious allegations against the petitioner. Statement of prosecutrix was recorded under Section 164 Cr.P.C. in which she had confirmed the allegations. Petitioner is yet to join the join the investigation, therefore, he is not entitled to be released on anticipatory bail.

4. I have considered the aforesaid arguments and have gone through the report. The complainant is the mother of the victim who was told about the occurrence by her minor daughter. Present petitioner is specifically named with specific allegations. However, at present there is a compromise arrived at between the parties on the basis of which separate petition has been filed seeking

quashing of FIR. Copy of compromise deed dated 28.01.2025 is Annexure A-1. He is ready to join the investigation. Therefore, no purpose would be served by sending the petitioner behind the bars. Accordingly, anticipatory bail petition filed by petitioner –Robin @ Babar is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 482(2) BNSS.

5. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

21.05.2025.

Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No