



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

CRM-M-45893-2024

Reserved on: 29th January, 2025

Pronounced on: 5th February, 2025

Bheem Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Harpreet Kaur, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The instant one is the second petition for grant of regular bail in case arising out of FIR No.200 dated 19.07.2020 registered under Section 354, 354-A, 354-B and 506 of IPC [Section 376 of IPC and Section 3(b), 5(n) and 6 of Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act') added later on] at Police Station Lambi, District Sri Muktsar Sahib, District Sri Muktsar Sahib. His previous bail petition bearing CRM-M-63729-2023 had been dismissed as withdrawn on 02.05.2024.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR has been lodged on the statement got recorded by the complainant 'J' (name withheld) alleging therein that on 16.07.2020, the petitioner, who is her father, took her along with him on the pretext of opening her bank account and while they were



returning, he took her to the fields of Leelu, where she had been sexually assaulted by him. She somehow escaped from there. He also extended threats to kill her if she disclosed about the incident to anyone. After registration of FIR, investigation proceedings were initiated. During investigation, Section 376 of IPC and Sections 3(b), 5(n) and 6 of POCSO Act were added. The victim was medically examined. Her statement under Section 164 of Cr.P.C. was recorded wherein she narrated the entire incident. The petitioner was arrested on 04.10.2020. Investigation has since been completed. Challan stands presented. Presently, the petitioner is facing trial for commission of the aforementioned offences.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. He is in custody since 04.10.2020. There is delay of more than three days in reporting the matter to the police. Infact, there was dispute regarding some ancestral land between the petitioner and his wife. Earlier, a compromise had also been arrived at between the petitioner and complainant. Trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed by respondent. Learned Assistant Advocate General, Punjab has argued that there are serious allegations against the petitioner who ravished his own daughter of tender age. The victim as well as her mother has fully supported the prosecution case. Trial is going on at a proper pace and there is nothing on record to show that there



would be any undue delay in conclusion of the same. With these broad submissions, it is urged that the petitioner does not deserve to be extended benefit of bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner who is none other than the father of the minor victim is alleged to have committed offence of aggravated penetrative sexual assault with her and also criminally intimidated her. Annexure P-2 is copy of sworn deposition of the victim as recorded before the learned trial Court which reveals that she fully supported the prosecution version while appearing as such. The allegations against the petitioner are quite serious in nature, thereof, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

5th February, 2025

Parveen Sharma	1. Whether speaking/ reasoned	:	Yes / No
	2. Whether reportable	:	Yes / No