

CRM-M-63029-2024

-1-

211

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63029-2024

Date of Decision:- 26.03.2025

Joginder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Dr. Anmol Rattan Singh Sidhu, Senior Advocate with
Mr. Gursher Singh Dhillon, Advocate
for the petitioner.

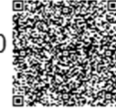
Mr. Japjot Singh, AAG, Punjab.

Ms. Prabhjot Kaur, Advocate
for the complainant.

AMARJOT BHATTI, J.(Oral)

1. Petitioner – Joginder Singh has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No. 28 dated 07.07.2024 under Section 74 of Bharatiya Nyaya Sanhita, 2023 and Section 10 of POCSO Act registered at Police Station Amir Khas, District Fazilka (Annexure P-1).

2. Facts of the case are complainant gave her statement that she is a married lady having a daughter, age about 9 years and a son age about 3 years. Victim-1 was studying in 3rd standard at Sacred Heart Convent School, Jalalabad. She was friendly with daughter of Manjinder Singh, who is victim-2 age about 6 years, studying in 1st Grade in Sacred Heart Convent School, Jalalabad. Both of them were close friends. On the day of



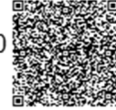
CRM-M-63029-2024

-2-

occurrence, at about 06:30 PM, both of them were playing outside near village Gurudwara. Joginder Singh (present petitioner) who was Granthi in said Gurudwara called both victims and took them inside the Gurudwara. He made them sit on his laps and started kissing them. Both girls were forced to take *parshad*. There were visible bruises on cheeks of both victims. On their return to home they disclosed about the occurrence and finally matter was reported to police.

3. Learned counsel for petitioner argued that allegations levelled against him are false. He is having clean antecedents and not involved in any other FIR or complaint regarding such incident. Challan has been presented and charge-sheet was framed. Copy of challan report is Annexure P-3. He has already joined investigation. Statements of victims are recorded, which are Annexures P-8 and P-9. There is no apprehension of causing any type of threat to victims. He is behind the bars since 14.07.2024. He will abide by terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Detailed status report has been filed. It is confirmed that after presentation of challan on 27.08.2024, charge-sheet was framed on 04.09.2024 and out of 18 prosecution witnesses, 03 have been examined. It is pointed out that as per school record, victim-1 is born on 16.09.2015, whereas, victim-2 is born on 20.06.2018. Therefore, both girls are minor. Statements of victims recorded under Section 183 of Bharatiya Nagarik Suraksha Sanhita, 2023 are also annexed. It is pointed out that both victims have fully supported the allegations. Considering the gravity of offence, petitioner is not entitled



CRM-M-63029-2024

-3-

to be released on regular bail.

5. I have considered the arguments and have gone through the record carefully. Present petitioner is about 56 years of age, working as Granthi in Gurudwara Sahib. There are specific allegations against him regarding sexual assault of two minor girls. It is matter of record that after presentation of challan and framing of charge-sheet, statements of prosecution witnesses are being recorded. Both victims are examined and their statements are Annexures P-8 and P-9, where they have fully supported the allegations. Considering the aforesaid factual position and nature and gravity of offence, I do not find it appropriate to grant regular bail to present petitioner and same is accordingly, dismissed.

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

26.03.2025

lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No