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

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Date of Decision:-26.03.2025

**Sharanjit Singh**

...Petitioner

Vs.

**State of Punjab**

...Respondent

**CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present:- Mr. J.S.Thind, Advocate  
for petitioner.

Mr. Japjot Singh, AAG, Punjab.

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**AMARJOT BHATTI, J.**

1. The petitioner – Sharanjit Singh has filed present petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.53 dated 30.04.2024, under Sections 376, 354, 506 of IPC, 1860 and Section 4 and 6 of POCSO Act, 2012, registered at Police Station Chatiwind, District Amritsar (Annexure P-1).
2. As per facts of the case, complainant 'RB' gave her statement that her husband is running a shop of electrical goods and utensils. Their godown is situated near their house in which there is one bedroom. She is mother of two children. Her daughter victim 'A' was about 15 years of age studying in 10<sup>th</sup> class and younger one is son. Her nephew Ashwani Kumar also resided in the same house. On 19.04.2024, after taking dinner they went to sleep. Her son, daughter i.e. victim and nephew went to sleep



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towards the godown. At about 2:15 AM, she heard shrieks and when she woke up she noticed that her daughter was not on her bed. She along with her nephew Ashwani went to see her and found Sharanjit Singh was making an attempt to commit rape with her daughter. On hearing the noise of their feet, he put on his clothes and ran away towards staircase. Her daughter was weeping and she was under fear. She further disclosed that the accused had committed rape upon her earlier also. Initially, they did not talk about this occurrence to anybody. The accused started blackmailing her daughter and thereafter the matter was reported to the police.

3. Learned counsel for petitioner argued that there is delay of 11 days in lodging the FIR. The complainant alleged that the accused was making an attempt to rape her daughter, therefore, no offence under Section 376 of IPC or under Sections 4 & 6 of POCSO Act is made out. Facts of the case indicate that the victim left the room with her sweet will. Petitioner was arrested on 30.04.2024 and till date, he is behind the bars. Statement of alleged victim has been recorded as PW-3. Statements of complainant as well as nephew of the complainant are also recorded as PW-1 and PW-2 which are placed on record as Annexure P-4. All material witnesses have been recorded. He is ready to face the trial. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Detailed status report has been filed confirming the facts stated in the FIR. It is pointed out that the statement of victim was recorded under Section 164 of Cr.P.C. on 01.5.2024. She was medically examined. On competition of investigation, challan was presented on 30.07.2024 and after

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framing of chargesheet, 03 prosecution witnesses have been examined. The allegations against the present petitioner are specific and serious in nature. Therefore, he does not deserve to be released on bail.

5. I have considered the arguments and have gone through the record. The facts of the case indicate that victim is a young girl of 15 years of age. In the light of this, consent of the victim does not carry any weight. It is matter of record that the statements of victim, complainant and cousin of the victim have been recorded (Annexure P-4) where they have fully supported the allegations levelled against the petitioner. There are specific serious allegations of repeated rape against the present petitioner. Therefore, in the light of this, I do not find it appropriate to release the petitioner on bail and his regular bail petition is accordingly declined.

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

26.03.2025

*Sunil Devi***(AMARJOT BHATTI)  
JUDGE**Whether speaking/reasoned:  
Whether reportable:Yes/No  
Yes/No