

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

CRM-M No.41533 of 2014.

Date of Decision: July 27, 2015.

Dheeraj Rana @ Prince

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Surender Deswal, Advocate for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Punjab.

Mr. H.S. Virk, Advocate for the complainant.

SNEH PRASHAR, J.

A petition under Section 438 of the Code of Criminal Procedure (in short, "Cr.P.C.") for grant of anticipatory bail was filed by the petitioner in case First Information Report No.115 dated 03.07.2014 under Sections 377/342/506/34 of the Indian Penal Code (in short, "I.P.C.") and section 3 and 4 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Machhiwara, Ludhiana.

The accusation against the petitioner was that on 02.07.2014 he and his co-accused Bhanu Pratap committed sodomy with complainant

Vikrant Rana, a student of 7th class, by threatening him of being thrown in the well in case he raised voice when at around 3 p.m. the complainant was going to the school for playing.

Heard the submissions made by Mr. Surender Deswal, learned counsel representing the petitioner, Mr. Ashish Sanghi, learned Deputy Advocate General, representing the State of Punjab and Mr. H.S. Virk, learned counsel representing the complainant.

Learned counsel for the petitioner submitted that due to political rivalry the petitioner has been falsely implicated. The medico legal report of the complainant shows that he suffered no injury on his body. Submitting that the petitioner is a young boy aged 19 years and has no criminal background, learned counsel sought release of the petitioner on anticipatory bail.

Learned State counsel placed on file copy of the report of the chemical examiner according to which spermatozoa were detected on four rectal swabs and on the Barmuda of the complainant. The report prima facie substantiates the allegation of the complainant.

There being serious allegation of commission of sodomy by the petitioner and his co-accused with the complainant, a small boy aged 15 years, in my considered opinion, no case for grant of anticipatory bail to the petitioner is made out and his petition is dismissed.

(SNEH PRASHAR)
JUDGE

July 27, 2015
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