

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

**Crl. Misc. No.M-18969 of 2016 (O&M)
Date of decision : 16.08.2016**

Sonu

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Tapan Kumar, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 466 dated 06.11.2015, registered under Sections 363, 366-A IPC (Section 376 IPC and Section 4 of POCSO Act added later on), Police Station SGM Nagar, District Faridabad.

Counsel for the petitioner contends that the victim in her statement under Section 164 Cr.P.C. had stated that she had gone on her own with the petitioner and the falsity of the charges can be seen from the fact that a complaint has been filed by the victim against her father in the Court of Judicial Magistrate Ist Class, Faridabad. The counsel refers to Annexure P-2 & P-3. It was urged that the relationship was not acceptable to the father and false allegations have been made and there is no mark of injury in the MLR and challan has been submitted and part statement of the prosecutrix had also been recorded.

The State counsel has opposed the bail application and urges that in the Board certificate the age of the victim is recorded as 30.04.2000 and consent would not matter and the girl is only 15 years old.

The certificate issued by the Board of School Education Haryana shows that the date of birth recorded therein is 30.04.2000. The incident relates to November, 2015. The girl was little over 15 years. Considering the allegations, no case for bail is made out.

The petition is dismissed.

16.08.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No