

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

CRM-M-26577-2016

Date of decision :- 19.10.2016

KAVITA

.....Petitioner(s)

versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Bhupender Singh, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No.02 dated 31.08.2015, registered under Sections 363, 366 IPC (Sections 354, 511, 328, 368, 370, 376(2), 34 IPC and Section 10 & 18 of POCSO Act added subsequently), Women Police Station Bhiwani, District Bhiwani.

Counsel for the petitioner contends that the petitioner is in custody since 08.12.2015 and the petitioner was not named in the FIR or in the statement recorded under Section 164 Cr.P.C. The counsel further contends that the mother had a suspicion that Satish who was the husband of her elder daughter had enticed the girl and the sister of the victim had also made a statement that Satish had evil eye on Pooja and was avoiding her and the petitioner had been unnecessarily dragged into the case and the police had let off Satish and four persons including the petitioner are

facing trial.

The State counsel says that the police had investigated the case and had found that Satish had come home for a festival on the night of 29.08.2015 and he had returned back to his place of posting and the girl was recovered from the village and the neighbours had also complained that the petitioner was dealing with illegal trafficking of minor girls along with three other persons and a supplementary statement was given by the mother wherein she had named the petitioner and the other three accused.

The allegations against the petitioner are of serious nature. The statement of the main witnesses is yet to be recorded. No case for bail is made out.

The petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

19.10.2016
Sunil

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No