

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-28593 of 2016

Date of decision : 29.08.2016

Mahesh

... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vivek Khatri, Advocate for the petitioner

Mr. Sanjay Kumar Saini, AAG Haryana

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 7 dated 04.09.2015 registered at Police Station Fatehabad, District Fatehabad under Section 313 IPC and 6 of POCSO Act.

Learned counsel for the petitioner contends that the petitioner is in custody for over a year and in her statement under Section 164 Cr.P.C. the girl had stated that she wanted to marry the petitioner and he was also ready to marry her and the trial is taking time. The counsel further urges that there was no evidence to show that any abortion had taken place. He also states that no semen was found in the FSL report.

Learned State counsel has placed on record the age related document to show that the age of the girl is mentioned as 07.06.2000. The girl was little over 15 years. The MLR shows that the hymen was ruptured. Eight witnesses out of 14 witnesses have been examined. The trial is going at a fast pace. The allegations are serious. No case for bail is made out.

The petition is dismissed.

August 29, 2016

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**(ANITA CHAUDHRY)
JUDGE**

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No