

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-40347 of 2016

Date of Decision: 16.11.2016

Vikas

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ajay Ghangas, Advocate
for the petitioner.

Mr. Kuldip Sharma, DAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 81 dated 18.4.2016 registered at Police Station Israna, Panipat under Sections 452, 502 IPC and Section 4 of POCSO Act.

Counsel for the petitioner contends that the petitioner is in custody since 19.4.2016 and the statements of the prosecutrix and the father have been recorded and it was a case of consent and the story is improbable and the accused could not have entered the house at 3.00 A.M. and there is no evidence that the door was broken.

State counsel has opposed the petition and urges that the victim is a minor and she has supported the prosecution version in the Court and the medical evidence also supports the prosecution.

There are allegations of rape against the petitioner. The plea of consent would be the defence which the trial Court would examine at the conclusion of the trial. The trial is going at a fast pace.

No case for bail is made out.

Petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

November 16, 2016
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No