

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-43113 of 2016

Date of Decision: 07.12.2016

Ajit Kumar

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Mr. Anmol Malik, AAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 268/2016 dated 20.5.2016 registered at Police Station Manesar, Gurgaon under Sections 363, 366-A IPC and Section 6 of the POCSO Act.

Petitioner is in custody since 25.5.2016.

Counsel for the petitioner contends that the prosecutrix has been examined and though she had given her age as 15 years but she was going around with the petitioner and she has admitted that she had the opportunity to inform her parents or get away and it was a case of consent.

State counsel submits that the girl was less than 16 years of age and consent would not matter and the petitioner is accused of kidnapping a minor girl and she was recovered after six days.

The allegations are serious.

No case for bail is made out.

The petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

December 07, 2016
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No