

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

CRM-M-22818-2017 (O&M)

Date of decision : 21.09.2017

Vikrant @ Vicky

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Abhishek Sindhvani, Advocate,
for the petitioner.

Ms. Dimple Jain, AAG, Haryana,
ASI Dilbag.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioner in case FIR No.318 dated 18.12.2016, registered under Sections 363A, 366 and 506 of the Indian Penal Code; Section 6 of the Protection of Children from Sexual Offences Act; and Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, at Police Station Sadar Narwana.

Contentends that the petitioner is not named in the FIR or the statement recorded under Section 164 Cr.P.C. The petitioner has joined the investigation in pursuance of order dated 06.07.2017.

On the other hand, learned State counsel submits that the prosecutrix, a minor, was illegally detained by the petitioner and his co-

accused from 17.12.2016 to 20.12.2016 and was repeatedly raped against her wishes. As the petitioner was not known to the victim, his name could not be disclosed at the time of making statements under Sections 161 and 164 Cr.P.C. However, subsequently the name of the petitioner came to the knowledge of the prosecutrix and accordingly, during investigation and she was produced before the counsellor on 22.12.2016, where she named the petitioner as one of the persons who committed rape upon her along with co-accused. A number of injuries as noticed in the MLR dated 31.12.2016, were found on the person of the prosecutrix. The name of the petitioner has also surfaced during the disclosure statement of co-accused.

Heard.

Keeping in view the age of the victim, specific accusation in her statement recorded by the counselor and the injuries suffered by her as reflected in MLR dated 31.12 2016, no case for bail is made out, at this stage.

Dismissed.

Anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

21.09.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No