

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

CRM-M-24781-2017

Date of decision-14.07.2017

Seema

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Pradeep Virk, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.92 dated 17.06.2017 registered under Section 506 read with Section 34 of the Indian Penal Code and Sections 6 and 17 of the Protection of Children from Sexual Offences Act (in short 'POCSO') at Police Station Women, Rohtak.

Learned counsel contends that the petitioner has been falsely implicated in the present case. The victim is not relative of the petitioner. The petitioner has no control over the victim. The victim had proximity with the co-accused, namely, Ashok who repeatedly committed rape upon her. It is denied that the rape was committed at the house of the petitioner.

I have heard learned counsel for the petitioner and have gone through the case file.

As per the FIR, co-accused had no source of income and the petitioner is a financially sound lady and had been helping the co-accused, namely, Ashok being dependent on her. The petitioner called the victim to

her house where she was repeatedly raped. The victim is a young child of 14 years.

Keeping in view the tender age of the prosecutrix and the fact that at such tender age she has become pregnant, no case for grant of concession of anticipatory bail is made out. This Court feels that it is a fit case where custodial interrogation of the petitioner is required to unearth the truth.

Consequently, the application for grant of pre-arrest bail stands dismissed.

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

(JITENDRA CHAUHAN)
JUDGE

July 14, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No