

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

CRM-M-31715-2017 (O&M)

Date of decision : 27.09.2017

Vijay Pal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. D.K. Prajapati, Advocate,
for Mr. Vijay Pal, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana,
assisted by ASI Kallu Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking bail in case FIR No.143 dated 12.10.2016, registered under Section 376(2) of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012, at Women Police Station, District Faridabad.

Learned counsel, inter alia, contends that the petitioner has been falsely implicated in the instant case. The FIR, in fact, is a counter-blast to the altercation that took place between the family of the petitioner and the prosecutrix about 15 days prior to the registration of the FIR. The petitioner is in custody since 12.10.2016. The material witnesses have been examined.

Learned State counsel, on the other hand, submits that the

petitioner, aged 48 years, is the real uncle of the prosecutrix, an eight-year old child. She has fully supported the case of the prosecution.

As per the allegations, the petitioner allegedly touched the private parts of the prosecutrix. The father of the prosecutrix is yet to be examined. The Court has all apprehension that in case, the present petition is allowed, the petitioner is likely to influence the witnesses and hamper the course of trial. Otherwise also, the offence against the petitioner falls under the category of 'heinous crimes'.

In view of the above, no case for grant of bail is made out.

Dismissed.

However, nothing noticed hereinabove shall be construed as an expression of opinion of the Court on the merits of the case.

27.09.2017
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(JITENDRA CHAUHAN)
JUDGE

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