

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

CRM-M-44915-2017

Date of decision-28.11.2017

Ankit

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Anshul Khurana, 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.574 dated 24.10.2017 registered under Sections 148, 451, 452 and 506 read with Section 149 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012 (in short 'POCSO') at Police Station Gohana City, District Sonipat.

Learned counsel contends that the petitioner is young boy of 17 years. In fact the petitioner was caused injuries by the complainant on 21.10.2017.

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

As per the FIR, the petitioner entered the house of the prosecutrix with the intention to rape her. The prosecutrix raised an alarm and the petitioner made an effort to run away by scaling the wall. In the meantime, brother of the prosecutrix caught him and his family member

were called on the spot, including the uncle of petitioner- Surajmal with his brother and mother. All of them were assured that this conduct of the victim would not be repeated. Subsequently on 23.10.2017, the petitioner along with other co-accused Satyawar, Ram Karan and Sachin again entered in to the house of the complainant after scaling the wall and threatened to kill the complainant.

Considering the fact that the petitioner has twice trespassed into the house of the complainant and in the first instance made an effort to rape the prosecutrix, the Court feels that at this stage 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, present petition stands dismissed.

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

(JITENDRA CHAUHAN)
JUDGE

28.11.2017

vanita

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