

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-16095 of 2018
Date of Decision: 25.5.2018**

Deepak Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ankur Lal, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 163 dated 12.7.2017 registered at Police Station Sector-14, District Panchkula under Sections 363, 366-A, 376 IPC and Section 4 of POCSO Act.

Counsel for the petitioner contends that the petitioner is in custody since 13.7.2017 and the victim had refused her medical examination and in her statement recorded under Section 164 Cr.P.C. (Annexure P-2), she has stated that she had gone on her own and the accused did not commit any wrong act with her but a week later she made a different statement which is an improvement.

State counsel urges that the victim had subsequently made a statement under Section 164 Cr.P.C. and her medical was also conducted and the hymen was found to be ruptured and the girl was recovered from the custody of the petitioner and the complainant and the prosecutrix have supported the prosecution version and the girl is only 14 years old and this

is the second application filed by the petitioner and the first application was withdrawn when the Court was not inclined to grant bail.

Counsel for the petitioner contends that the first bail application was withdrawn as at that point the statement of the victim had not been recorded.

The victim has made a statement against the petitioner. The girl was a minor. The allegations are serious. No case for bail is made out.

The petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

May 25, 2018

Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No