

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

**CRM-M-24150-2018 (O&M)
Date of Decision: 02.07.2018**

Rahul Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. R.S. Sekhon, Advocate
for the petitioner.

Mr. Ajay Pal Gill Singh, D.A.G., Punjab.

ANITA CHAUDHRY, J

The petitioner is seeking anticipatory bail in case FIR No.92 dated 06.03.2018 under Sections 376 and 506 of IPC and Section 4 of POCSO Act, 2012 registered at Police Station Jodhewal, District Ludhiana.

Learned counsel for the petitioner contends that there has been exchange of several messages and it was a case of consent and the girl had gone along with the petitioner and as per the FIR the incident is of August, 2017 and the matter was reported in March, 2018.

Learned State counsel states that the girl is a minor and the complaint was lodged on 06.03.2018 and the medical was got done the next day and spermatozoa was found.

The victim as per the FIR is 14 years old, therefore, the question of consent would not matter.

There are allegations of rape. Spermatozoa has been detected.

No case for anticipatory bail is made out.

The petition is dismissed.

July 02, 2018

ps-I

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No