

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

Crl. Misc. No.M- 41670 of 2018

Date of decision : 25.09.2018

Jagmohan Singh @ Mohan Singh

....Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. G.S. Sirphikhi, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

Mr. Vishal Sodhi, Advocate
for respondent no.2.

ANITA CHAUDHRY, J.(ORAL)

The petitioner is seeking anticipatory bail in FIR No. 138 dated 02.09.2017, registered under Sections 376/120-B of IPC and Section 4 of the POCSO Act, Police Station Batala, District Batala.

Counsel for the petitioner contends that a false case had been registered and the father of the victim had demanded money for his domestic needs but since the petitioner refused, therefore, to teach him a lesson the FIR had been lodged after five days.

The State counsel submits that there are allegations of rape against the petitioner and the incident occurred on 26.08.2017 and the FIR was lodged and the medical of the victim who is just 11 years old was conducted and the FSL report is positive and the victim had named the petitioner as well.

Counsel for the petitioner contends that the grand mother has now given an affidavit that she had named the petitioner wrongly and has prayed that FIR be cancelled and she has no objection.

The allegations against the petitioner are of rape and the FSL report is positive. The victim is 11 years old. No case for anticipatory bail is made out. The petition is dismissed.

25.09.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No