

Crl. Misc. No.M-51264 of 2018 (O&M)

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

**Crl. Misc. No.M-51264 of 2018 (O&M)
Date of decision : 29.11.2018**

Deepak @ Chinka

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Piyush Aggarwal, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 278 dated 22.11.2017 registered under Sections 363, 366-A of IPC and Section 6 of the POCSO Act, Police Station Linepar, Bahadurgarh, District Bahadurgarh.

Counsel for the petitioner contends that the petitioner is in custody since November 2017 and the statement of the complainant has been recorded and the trial is taking time. Counsel further submits that in the FIR the victim had stated that it was a case of attempt of rape but she improved upon her statement given under Section 164 Cr.P.C.

The State counsel informs that the girl was only 13 years old and the FSL report is positive and hymen was partly intact and the victim

was sedated and in the history given to the Medical Officer, she had named both the accused and that she had been raped.

The allegations against the petitioner are serious. I am not inclined to grant bail.

The petition is dismissed.

29.11.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No