

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

**Crl. Misc. No.M- 53227 of 2018
Date of decision : 07.12.2018**

Kamaljeet

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Nakul Sharma, Advocate for
Mr. Mandeep Singh Sachdev, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 97 dated 23.08.2018, registered under Sections 376/506 IPC and Sections 4/8 of the POCSO Act (Section 6 of the POCSO Act added in challan), Police Station Cantt. Jalandhar, District Jalandhar.

Counsel for the petitioner contends that the petitioner is in custody since 24.08.2018 and challan has been presented. The counsel further submits that there was a love relation and he has some photographs which will show and the girl had written on her hand.

The State counsel informs that the petitioner was related as he was the son-in-law of the Jeth of the complainant and the girl was being

violated for the last two years and was 14 when the incident started and since the incident is old and the MLR would reveal that the hymen was old and ruptured and the last episode was in March 2018 and the child confided in the mother much later.

The victim was 14 when she was violated by the petitioner who is married and over 30 years of age. There could be no consent as the victim was minor. The allegations are serious. No case for bail is made out.

The petition is dismissed.

07.12.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No