

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

CRM-M-22271 of 2019.

Decided on:- May 16, 2019.

Gopal.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Chirag Wadhwa, Advocate
for the petitioner.

HARI PAL VERMA, J. (Oral)

The petitioner has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.178 dated 13.04.2019 under Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for short, the POCSO Act) and Sections 506 and 120-B IPC registered at Police Station Butana, District Karnal.

The allegations against the petitioner are that on the basis of facebook request, the petitioner came in contact with the victim as the petitioner was a neighbour of the victim. The petitioner enticed the victim by saying that he likes her and wants to marry her. He emotionally enticed her and developed physical relations with her without her consent. This continued for a period of about 1½ years. She was repeatedly sexually assaulted/ ravished by the petitioner. He kept on assuring her that he will marry her. The

petitioner having exploited the girl emotionally, managed to get an amount of Rs.30,000/- in his account at different times.

Learned counsel for the petitioner has argued that the allegations against the petitioner are false. Since the petitioner has solemnised marriage with some other girl and there was money dispute between the petitioner and complainant, a false FIR has been registered against him by the police at the behest of the complainant.

At this stage, Mr. Sunil Kumar, Advocate has put in appearance and filed power of attorney on behalf of the complainant in Court, which is taken on record. He has strongly opposed the contentions of learned counsel for the petitioner and has argued that the petitioner has committed rape upon the complainant repeatedly on false assurance of marriage. He has also accepted money from the victim in his account, which shows that he was blackmailing her.

Having heard learned counsel for the parties, this Court finds that the prosecutrix is a minor girl. The transaction of money in the account of petitioner is not in dispute. Thus, there being serious allegations of sexually exploiting the prosecutrix, this Court finds that no ground is made out for grant of anticipatory bail to the petitioner.

Accordingly, the present petition, being devoid of any merit, is dismissed.

May 16, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No