

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRM-M-32913-2019

Date of Decision:05.11.2019

Jabbar

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Arjun Atri, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in FIR No.122 dated 23.12.2018 under Sections 363, 366-A IPC and Section 4 of the POCSO Act, 2012, registered at Women Police Station Mewat, District Nuh.

On August 19, 2019, learned counsel for the petitioner had submitted that the petitioner has falsely been implicated in the case and as per Section 164-A Cr.P.C., the prosecutrix was required to be medically examined by a medical expert, but in the present case, medical examination was not conducted upon the prosecutrix.

Learned State Counsel, on instructions from ASI Manoj, has produced on record the FSL report dated 04.01.2019 and as per said report,

human semens were detected on the salwar of the prosecutrix. The

petitioner being single accused in the FIR and FSL report suggests human
semens on the salwar worn by the prosecutrix belongs to the
petitioner/accused, therefore, prayer of the petitioner for grant of
anticipatory bail, is hereby declined.

Dismissed.

November 05, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No