

3. The FIR is lodged by the mother of the victim. The victim was about 17 years of age at the time of incident. Her birth date was 22nd October, 2001. The first informant got suspicious about the relations between the Applicant and her daughter. On one occasion, the victim had missed her periods and, therefore, she was taken to a doctor. Even thereafter, her relations with the Applicant continued. On taking her in confidence, the victim told the informant that the present Applicant had committed rape on her in January, 2019. The victim was under pressure and initially did not make any grievance against the present Applicant. On this basis, the FIR is lodged. The investigation is carried out. The victim's statement was recorded on 9th August, 2019. At that time, she had refused to make any allegations against the present Applicant. However, subsequently, on 19th August, 2019 she gave detailed statement, where she had stated that in January, 2019, the Applicant had committed forceful sexual intercourse. He threatened that he would commit murder of her mother and grand-mother. The Applicant had given her some medicines for

abortion so that her periods could be normal. In April, 2019 he committed rape on her and gave some medicines. The same act was repeated again on the third occasion. As per the statement of the victim, the applicant was constantly harassing her. The investigation carried out by the investigating agency shows that the victim was pregnant. She had to undergo procedure of MTP.

4. The learned counsel for the Applicant submitted that the Applicant is in custody since long time. He submitted that the relations were consensual.

5. The learned APP invited my attention to the observations made by the Sessions Court in the order while rejecting the anticipatory bail application. In that order, it was mentioned that the applicant was a married man and had five children. His elder daughter was 14 years old and the victim was 17 years old. Thus the victim was almost his daughter's age.

6. The victim was pregnant and had undergone MTP

procedure. The offence is very serious. Therefore, no leniency can be shown to the Applicant. The victim has given statement against him. The Applicant deserves no sympathy at this stage. Considering the gravity and nature of offence, I am not inclined to grant bail to the Applicant. Hence, the application for bail is rejected.

(SARANG V. KOTWAL, J.)