IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-139-2020
Decided on : 08.01.2020

Kuldeep

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Aditya Sanghi, Advocate
for the petitioner(s).

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MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner, in case FIR No. 343, dated 22.12.2019, under Sections 323, 450, 506, 120-B IPC and 4, 6 and 10 of the Protection of Children from Sexual Offences Act, 2012 and Section 39(2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, registered at Police Station Narwana City, District Jind, Haryana.

It was *inter alia* contended that the allegations levelled by the complainant, who is the mother of the victim stands falsified from the fact that on the date and time of the alleged occurrence, the petitioner was, in fact, appearing before the learned trial Court at Jind, in case FIR No. 34, dated 03.02.2017, under Sections 307, 120-B, 34 IPC and 25/29/54/59 of the Arms Act, registered at Police Station City Narwana, District Jind and hence, he could not have been present at Narwana i.e. at the alleged place of occurrence. In support thereof, learned counsel for the petitioner drew the attention of this Court to Annexure P-4 i.e. zimni order dated 16.12.2019 of the learned Additional Sessions Judge, Jind, wherein, the presence of the

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petitioner is reflected.

Heard.

Be that as it may, the allegations levelled against the petitioner are serious and grave in nature. In the statement made by the victim under Section 164 Cr.P.C., she has categorically stated that the petitioner committed rape upon her on earlier occasions as well. Therefore, this Court is of the considered view that no ground for grant of concession of anticipatory bail to the petitioner is made out.

Petition stands dismissed accordingly.

(MANJARI NEHRU KAUL)
JUDGE

January 08, 2020
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No

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