

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M- 22053 of 2020

Date of Decision: 03.11.2020

Parveen Kumar

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Deepak Aggarwal, Advocate
for Mr. Vishal Aggarwal, Advocate
for the petitioner(s).

Mr. Chetan Sharma, Assistant Advocate
General, Haryana for the respondent.

Anil Kshetarpal, J.

The petitioner prays for grant of regular bail pending trial in a criminal case arising from FIR No. 232, dated 29.09.2019, registered under Section 377 IPC and Section 6 of the Protection of Children from Sexual Offence Act, 2012, at Police Station Sadar Sirsa.

As per the case of the prosecution, the petitioner has committed an unnatural act (penetrated sexual assault) on the victim, aged about nine years, studying in Class 4.

Learned counsel, for the petitioner, contends that the petitioner is in detention since 18.11.2019 and the petitioner and the victim are cousins. He further contends that the parties have now entered into a settlement (Annexure P-2) _

Mr. Chetan Sharma, Assistant Advocate General, Haryana, has

pointed out that as per the medico-legal report, there was an injury on the

anus of the victim and swab of semen from the anus of the victim has been sent for DNA examination.

This Court has considered the submissions of the learned counsel for the parties and with their able assistance, perused the paper book.

In such heinous crimes, the alleged settlement cannot be given an undue weightage. The medico-legal report does support the case of the prosecution. In such circumstances, no ground is made out to grant the concession of regular bail to the petitioner. Hence, the petition is dismissed.

(Anil Kshetarpal)
Judge

November 03, 2020
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No