

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

213

**CRM-M-3563-2021
Decided on : 23.08.2021**

Vicky

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Vivek Khatri, Advocate
for the petitioner(s).

Ms. Mahima Yashpal, DAG, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. For grant of anticipatory bail to the petitioner, in case FIR No. 377, dated 21.11.2020, under Sections 376, 451, 506 of IPC, registered at Police Station Sadar Jhajjar, District Jhajjar.

Learned counsel for the petitioner submits that it was on account of some misunderstanding, the FIR in question came to be registered against the petitioner by the prosecutrix, who also happens to be his real aunt. He further submits that after the registration of the FIR in question, the matter stands amicably settled between the parties. In support of his submissions, learned counsel for the petitioner has invited the attention of this Court to Annexure P-2, which is a Compromise Deed dated 05.01.2021, stated to have been effected between the parties.

Per contra, learned State counsel has vehemently opposed the prayer and submissions made by learned counsel for the petitioner. She has

submitted that the FIR in question was a prompt FIR, wherein, the prosecutrix categorically levelled allegations of rape against the petitioner. She has further submitted that the petitioner was subjected to a medical examination, wherein, also the factum of her person being violated stands corroborated. Further submitted that the FSL report further nails the petitioner, as semen was detected on the exhibits, which were sent to it for examination. Learned State counsel has further apprised the Court that the report of DNA sample has not yet been received and is likely to be received in the near future.

Heard.

In the wake of the specific allegations levelled against the petitioner of having committed rape upon his real aunt, no ground is made out to extend the concession of anticipatory bail to the petitioner.

Petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

August 23, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*