

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

228

**CRM-M-6764-2021
Decided on : 06.09.2021**

Nihal Singh

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. J.S. Warring, Advocate
for the petitioner(s).

Ms. Gaganpreet Kaur, AAG, Haryana
assisted by L/ASI Manoj.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. seeking grant of bail to the petitioner, in case FIR No. 0031, dated 29.06.2020, registered under Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for brevity 'the POCSO Act'), lodged at Police Station Nuh, District Nuh, Haryana.

Learned counsel for the petitioner submits the petitioner has been in custody since 29th June, 2020, in a case of false implication. Further submits that there is no likelihood of the trial concluding anytime in the near future, as only charges have been framed till date, therefore, the petitioner be extended the concession of bail.

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 got registered at the instance of the grandfather of the victim aged 06 years, wherein, not only did he specifically name the petitioner but also gave a detailed account of how the

petitioner after enticing away his 06 years old grand-daughter had violated her person.

Learned State counsel has further submitted that the FSL report corroborates the factum of the victim having been violated by the petitioner. Still further, it has been submitted that the semen samples sent for DNA sampling had matched with that of the petitioner.

Heard.

Prima facie, there are serious allegations against the petitioner of having committed rape upon a minor aged 06 years and as such, this Court is not inclined to extend the concession of bail to him.

Petition stands dismissed accordingly. However, anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

September 06, 2021

J.Ram

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