

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Item No.217

CRM-M No.18290 of 2020(O&M)

Date of Decision: March 12, 2021

Anand

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE JAISHREE THAKUR

Present: Mr. Rajesh Gupta, Advocate for the petitioner.

Mr.P.P. Chahar, DAG, Haryana.

(Through Video Conferencing)

JAISHREE THAKUR, J. (Oral)

CRM-7151-2021

Application is allowed. Necessary corrections/additions as prayed for, are permitted to be made wherever required in the petition. Let the Registry do the needful.

CRM-M No.18290 of 2020

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, who has been nominated as an accused in case FIR No.47 dated 23.04.2019, under Sections 341, 342, 376-AB of Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Women, Jind.

Learned counsel for the petitioner herein would argue that the

petitioner is falsely implicated in the said case due to boundary wall dispute between the parties and that he is in custody since 26.04.2019.

On the other hand, learned State counsel would submit that the allegations as set out against the petitioner are serious as the prosecutrix is only 5 years old whereas the petitioner herein is 20 years old boy, who has violated the minor by inserting his finger in her private part. It is also submitted that the charges are yet to be framed before the prosecutrix is examined.

I have heard learned counsel for the petitioner and have also perused the MLR, which would reflect that the hymen of a 5 years old girl stands ruptured and there are also slight injuries on her private parts.

No ground is made out for grant of bail at this stage.

The petition is dismissed .

**(JAISHREE THAKUR)
JUDGE**

March 12, 2021
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Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No