

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26542-2021

Date of Decision: 15.07.2021

VikramPetitioner

Versus

State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...
(through video conferencing)

Present: Mr. Azad Khan, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

...

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 49 dated 25.01.2021 under Section 346 (deleted later on), 365, 376(D) IPC and Section 6 of the POCSO Act, 2012 registered at Police Station Narnaund, Hansi, District Hisar.

Learned counsel submits that the prosecutrix is in fact not a minor as has been alleged in the FIR in question. He submits that it is a case of consensual relationship between the parties and hence the petitioner cannot be accused of committing rape upon the prosecutrix.

Per contra, the learned counsel for the State has opposed the prayer made by the learned counsel for the petitioner. She, on instructions from SI Vijay Pal, has submitted that the submission made by the learned

years of age on the date of the alleged occurrence. Not only this, in her statement under Section 164 Cr.P.C. she has specifically levelled allegations of being raped by the petitioner.

Heard.

In view of the serious and specific allegations levelled against the petitioner, no ground for the grant of bail is made out.

The petition is dismissed. However, it is made clear that any observation made herein shall not be construed as an expression of opinion on the merits of the case.

15.07.2021
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No