

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-31901-2021
Decided on : 27.08.2021

Arjun Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Parshotam Verma, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.11 dated 11.02.2021 registered under Sections 363, 452, 506 IPC, 1860 and Sections 6 and 17 of POCSO Act, 2012 at Police Station Women Police Station, Sector 51, Gururam.

Learned counsel for the petitioner *inter alia* contends that it was essentially a consensual relationship between the petitioner and the victim. He submits that false allegations have been levelled against the petitioner of having ravished her against her wishes and as a result of which she became pregnant. He further submits that a false case has been planted upon the petitioner as the family of the victim was averse to the said relationship. The petitioner has been in custody since 11.02.2021. There is no likelihood of the trial concluding in the near future as subsequent to the registration of FIR in question, only charges have been framed.

Per contra, learned State counsel has vehemently opposed the prayer and submissions of learned counsel for the petitioner. He, on instructions from ASI Chanderkanta has apprised the Court that there are serious allegations levelled against the petitioner of having committed rape upon a minor aged 15½ years as a result of which she became pregnant. He further submits that the victim was threatened with dire consequences and was being pressurized by the petitioner to get married to him. In her statement recorded under Section 164 Cr.PC, the victim reiterated the allegations, which were levelled against the petitioner in the FIR in question. He further submits that though the pregnancy of the victim was terminated, however, the very fact that she had conceived as a result of rape committed upon her, went a long way to corroborate the allegations levelled against the petitioner.

Heard.

Prima facie there are serious allegations levelled against the petitioner for which he does not deserve the concession of bail. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

27.08.2021
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No