

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

CRM-M-36216-2021
Decided on : 17.09.2021

Sandeep Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gaurav Sharma, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. H.S.Jalal, Advocate
for the complainant.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.397 dated 11.08.2021 under Sections 376, 366-A, 370-A, 506, 384 and 120-B IPC and Sections 4 and 6 of POCSO Act registered at Police Station City Barnala, District Barnala.

Status report by way of affidavit of DSP Sub division, Barnala filed on behalf of respondent-State is taken on record subject to all just exceptions.

Learned counsel for the State while inviting the attention of this Court to the affidavit filed submits that on the basis of investigation made and the material collected the victim was a minor on the date of alleged occurrence. He further submits that in the statement recorded under Section 164 Cr.PC, the victim reiterated the allegations levelled against the petitioner though she did not subject herself for the medical examination.

He submits that the petitioner is a man of criminal antecedents inasmuch as he stands convicted in two cases under the NDPS Act and there is another case under NDPS Act, in which he is facing trial. Learned State counsel on instructions has prayed that the instant petition be dismissed in the wake of serious allegations levelled against the petitioner. He submits that the custodial interrogation of the petitioner would be required to recover the mobile phone, photographs and videos and also the names of all those persons with whom the petitioner solemnized fake marriage of the victim.

Prima facie, there are serious allegations levelled against the petitioner for which he does not deserve the concession of anticipatory bail.

Accordingly, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

17.09.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No