



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29663-2024 (O&M)
Date of decision: 10.07.2024

Bhim Sen

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vaibhav Parashar, Advocate and
Mr. Virender Verma, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), seeking anticipatory bail in FIR No.33 dated 17.01.2024 under Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act'), registered at Police Station Saran, District Faridabad.
2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner has been falsely implicated in the present case. In fact, co-accused Mohit has allured the complainant's daughter and brought her to the petitioner's shop. It is further contended that the petitioner has no involvement in the alleged incident and co-accused took the keys of shop of the petitioner,

where he physically exploited the daughter of the complainant.

3. *Per contra*, learned State counsel submits that the petitioner is the main accused. He along with CCL 'M' has committed the aggravated penetrative sexual assault upon minor prosecutrix, which is punishable under Section 6 of POCSO Act, which provides minimum sentence of 20 years and his custodial interrogation is required.

4. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, this Court finds no ground to grant anticipatory bail to the petitioner.

5. Accordingly, present petition is dismissed.

6. Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the same on its own merits, strictly in accordance with law.

10.07.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No