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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-38671-2024

Date of decision: 09.08.2024

Rinku

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anshumaan Dalal, Advocate  
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 of BNSS, 2023 seeking anticipatory bail in case bearing FIR No.297 dated 12.07.2024 under Sections 333/64(2)(i) 64(2)(K)/351(2) of BNS and Section 6 of POCSO Act (section 75 of BNS and Section 10 of POCSO Act were added later on) registered at Police Station Old Sabji Mandi, Rohtak.

Learned counsel for the petitioner *inter aila* contends that there is a delay of six days in the registration of the FIR which creates serious dent in the case set up by the prosecution. Further, the petitioner has a very strong *alibi* in the shape of CCTV camera footage. The petitioner was present at the shop where he is employed at the time of the alleged incident, as such, the petitioner has been falsely implicated in the present case

Per contra, the learned State counsel opposes the grant of anticipatory bail to the petitioner on the ground that petitioner is accused of raping a specially abled minor girl by taking advantage of her condition. The medico legal report of the prosecutrix/victim clearly suggests that she was

sexually exploited.

Having heard learned counsel for the parties and after perusal of the record, it transpires that since the investigation is at nascent stage, the matter has to be thoroughly investigated and custodial interrogation of the petitioner is necessary for complete, effective and result oriented investigation and thus, without commenting anything on the merits of the case, no ground for grant of anticipatory bail to the petitioner is made out and thus, the present petition is hereby dismissed.

(HARPREET SINGH BRAR)  
JUDGE

09.08.2024  
Neha

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |