

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.18290 of 2015 (O&M)
Date of decision: 1st September, 2015

Rishav Thind

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Krishan S. Dadwal, Advocate
for the petitioner.

Mr. R.S. Randhawa, Addl. Advocate General, Punjab.

FATEH DEEP SINGH, J.

Allegations against the petitioner Rishav Thind in this petition filed under Section 439 Cr.P.C. seeking regular bail in a case FIR No.04 dated 05.01.2015 registered at Police Station Garshankar, District Hoshiarpur under Sections 376/312/506/509 IPC read with Section 4 of the Protection of Children from Sexual Offences Act, 2012, are that the prosecutrix, a young girl aged around 16 years adopted by one Bal Krishan, who happened to be a friend of the sister of the petitioner, was enticed and taken away on 05.01.2015 after she was called on the pretext of teaching driving of Scooty and thereafter made to consume cold-drink laced with sedatives and thereafter was

forced to undergo marriage and was ravaged and threatened and subsequently this case was registered.

The contentions of learned counsel for the petitioner Mr.Krishan S. Dadwal that even the prosecutrix has not supported the prosecution story by placing reliance on the statement of the girl as PW2, and that the petitioner is in custody since 06.01.2015 and trial is not likely to conclude in the near future, which is opposed by learned State counsel on the grounds that if allowed bail the petitioner will influence the witnesses and he will not allow them to testify.

Appreciating these submissions, the very fact that in such a heinous crime obviously the prosecutrix has been made to resile which is well elaborated from her testimony placed on the record made before the trial Court and the apprehension of the learned State counsel that if allowed bail the petitioner will certainly influence the witnesses, impels this Court to decline the relief of bail to the petitioner.

Thus, the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

September 1, 2015
rps