

**Sr. No. 207
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No. M-28150 of 2015
Date of Decision: 07.09.2015**

Samim

--Petitioner

Vs

State of Haryana

--Respondent

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. M.D.Khan, Advocate,
for the petitioner.

Mr. Ashish Yadav, Additional A.G.Haryana.

Mr. Satish Chaudhary, Advocate,
for the complainant.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 728 dated 15.10.2013 under Sections 363, 366, 376-D, 457, 380, 174-A of the Indian Penal Code and Section 4/6 of POCSO Act registered at Police Station Nuh, District Mewat.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He further submits that the allegation under Section 376-D IPC has been deleted by the prosecuting agency itself. No specific charge has been alleged against the petitioner. He further submits that there is an unexplained delay of 18 days for registration of the FIR. He prays for allowing the present petition.

On the other hand, learned State counsel as well as learned counsel for the complainant submit that charge under

Section 376 IPC has been framed against the petitioner on 11.08.2015, because the petitioner remained proclaimed offender for about 08 months. They pray for dismissal of the present petition.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has not been found entitled for the concession of bail. It is so said because the allegations are serious in nature. Charge has already been framed against the petitioner. So far as the delay in trial is concerned, petitioner himself is responsible for the same as he remained proclaimed offender for a period of about eight months.

In view of the above and without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, no case for bail pending trial is made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

07.09.2015
vandana