

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-29799 of 2015(O&M)
Date of decision : September 10, 2015

Sandeep

..... Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Present: Mr. Jai Vir Yadav, Advocate
for the petitioner

Mr. Deepak K. Grewal, DAG Haryana

ANITA CHAUDHRY, J.

This is third petition filed by the petitioner seeking regular bail in FIR No. 297 dated 11.12.2014 registered at Police Station Bawa, District Rewari under Sections 302, 201, 376D, 370, 342, 323, 506 read with Section 34 IPC.

The facts reveal that prosecutrix Rupa, aged 20 years is a resident of Maharashtra. After having altercation with her husband she boarded a train and reached Rewari. She was taken away by the co-accused and was raped by all of them. The allegations are that Satish the co-accused has sold the prosecutrix to the petitioner for a sum of Rs. 40,000/-. The statement of the prosecutrix had been recorded under Section 164 Cr.P.C. where she had mentioned that she was sold.

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Learned counsel for the petitioner states that the prosecutrix has not made any allegation against the petitioner at the trial and refers to the statement made by her on 18.08.2015. He states that prosecutrix was residing with parents of the petitioner out of her own free will. He further states that trial is taking time and the allegations under Section 370 IPC are not against the petitioner. Reliance was placed upon ***Prema vs. State of Kerala and another, 2014(7) RCR(Criminal) 1407.***

Learned State counsel submits that out of 21 PWs, 10 witnesses have been examined and certain observations have been made by the trial Court who had recorded the statement of the victim and the prosecution has yet to complete its evidence.

The allegations against the petitioner are that the victim had been sold to him by the co-accused. Recovery of the victim was from the house of the petitioner. The prosecution is yet to complete its evidence. The prosecution has examined 10 witnesses out of 21 PWs. Considering the seriousness of the offence, I am not inclined to grant bail.

The petition is dismissed.

September 10, 2015

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**(ANITA CHAUDHRY)
JUDGE**