

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

CRM M-6802 of 2015

Date of decision : 23.03.2015

Amit

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sukesh K. Jindal, Advocate for the petitioner.

Mr. Kapil Aggarwal, Addl. A.G. Haryana.

RAJAN GUPTA J.

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 782 dated 27.08.2014 under Sections 376/312/406/506/120-B IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Chandni Bagh, Panipat.

Learned counsel for the petitioner has emphatically argued that petitioner has no role to play in the entire crime. He is only shown to be present at the spot where rape was committed. Thus, he deserves to be enlarged on bail.

Plea has been opposed by learned State counsel. According to him, petitioner has been charged under section 376(D) IPC. Allegations against him are serious. Thus, his prayer deserves to be rejected.

I have heard learned counsel for the parties.

FIR was lodged at the instance of a girl aged 16½ years.

She alleged that when she would go to school, she was followed by

Nishant. His friends Amit, Sandeep and Lakhan used to accompany him. She was taken to Lakhan's house on one particular day. There she was raped on three different days. At the time of crime, three friends used to remain present on the spot. Prosecutrix was also threatened by them.

Keeping in view facts and circumstances of the case and the stage of trial, I am of the considered view that petitioner is not entitled to be enlarged on bail at this stage. Dismissed.

March 23, 2015

Ajay

(RAJAN GUPTA)
JUDGE