

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

(213)

CRM-M-15540-2016

Decided on: August 02, 2016.

Yousuf Khan

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. D.S. Matya, Advocate, for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

M.M.S. BEDI, J (ORAL)

The petitioner has been in custody w.e.f. 18.11.2014 in a case registered at the instance of Samsuddin alleging that his daughter had been kidnapped by the petitioner and co-accused Nauman while she was sleeping in verandah. She was enticed by the petitioner to enter into the contract of marriage and was raped by the petitioner and others.

Learned counsel for the petitioner submits that the prosecutrix had actually performed marriage with the petitioner and was forcibly taken away before she could seek protection from the Court. It has been argued that the petitioner has been involved on the basis of a wrong statement got forcibly recorded from the prosecutrix by the father Samsuddin.

I have heard learned counsel for the petitioner.

Co-accused of the petitioner, who have been granted concession of bail, were initially found innocent but on they having been summoned under Section 319 Cr.P.C., they were granted concession of bail.

The prosecutrix

has already been examined. She appears to have supported the case of prosecution. The authenticity of defence plea has to be tested at final stage.

No ground is made out to grant concession of bail to the petitioner.

The petition is dismissed. However, the trial Court is directed to conclude the trial expeditiously preferably within a period of five months after the next date of hearing.

Counsel for the petitioner submits that since August, 2015 there has not been any proceedings before the trial Court as the record has been summoned in a revision petition i.e. CRR-3193-2015. Next date of hearing in the revision petition is stated to be 16.08.2016.

The Registry would bring it to the notice of the Court hearing the revision petition that record has been received and the next date of hearing before the trial Court is 26.08.2016 at the time of hearing of the CRR-3193-2015 which is stated to be pending on 16.08.2016.

(M.M.S. BEDI)
JUDGE

August 02, 2016
harsha

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No