

Crl. Misc. No.M-16059 of 2016

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

Crl. Misc. No.M-16059 of 2016

Date of Decision: 18.05.2016

Jitender Goyal

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

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

Ms. Trishanjali Sharma, A.A.G., Haryana
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 CrP.C for grant of regular bail to the petitioner in case FIR No.256 dated 01.08.2015 registered under Sections 370, 372, 373, 120-B, 346 IPC and Section 6 of POCSO Act at Police Station Bhondsi, District Gurgaon.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas, he was not involved. He further submits that the victim is a habitual offender and is involved in so many such like activities of blackmailing the persons like the present petitioner. Learned counsel further submits that the victim, in connivance with main accused-Raja, tried to extract money by alleging false allegations. Co-accused of the petitioner, namely, Kiran Goyal has been

released on regular bail by this Court vide Order dated 23.04.2016.

Learned counsel for the respondent-State submits that no other case is there against the victim and even till date, her statement has not been recorded. The co-accused of the petitioner has been released on regular bail being woman and the wife of main accused.

Heard the arguments of learned counsel for the petitioner and have also perused the allegations levelled in the FIR as well as other documents available on the file.

As per allegations levelled in the FIR, the victim was sold and handed over to the petitioner and thereafter, she was taken to different places in car bearing No.HRCA-7690 to hotels in Delhi and Gurgaon. It has further been alleged that he used to leave her in hotels with certain other persons and rape was committed upon her. The case of the petitioner has been supported by statement of victim also. There are certain other witnesses, whose statements being relevant, are necessary to be recorded. Petitioner cannot claim parity with co-accused Kiran Goyal as she has been granted bail on the ground that the only allegation against her is that she in-conivance with her husband had enticed away the victim and forced her to indulge in prostitution.

Keeping in view the nature of offence and stage of trial, no ground is made out to grant regular bail to the petitioner and the petition is accordingly dismissed.

18.05.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE