

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

**Crl. Misc. No. M-8260 of 2016
Date of decision : 23.08.2016**

Sehjad Ahmad

... Petitioner

versus

State of Haryana

... Respondent

with

Crl. Misc. No. M-12307 of 2016

Rajesh

... Petitioner

versus

State of Haryana

... Respondent

and

Crl. Misc. No. M-13382 of 2016

Sandeep @ Dippi

... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Mandeep Kaushik, Advocate
for petitioner Sehjad Ahmad.**

**Mr. Vikram Singh, Advocate
for the petitioner Rajesh**

**Mr. Keshav Partap Singh, Advocate
for petitioner Sandeep @ Dippi**

Ms. Dimple Jain, AAG Haryana.

**Mr. S.S. Duhan, Advocate
for the complainant.**

ANITA CHAUDHRY, J.

Heard.

These are three petitions for regular bail in FIR No. 1184 dated 27.08.2015, registered under Sections 376(d), 328, 366, 342, 506, 384, 120-B, 376(2)(n) IPC, Police Station city Panipat.

The allegations of rape and extortion have been levelled by the prosecutrix. Main accused Neeraj was allowed bail under Section 167(2) Cr.P.C. on 29.02.2016. He failed to appear in the Court on 16.08.2016 when the case was fixed for prosecution evidence and the victim was present in the Court. His bail has been cancelled and warrants of arrest have been issued on 16.08.2016.

The submissions on behalf of the petitioners are that there are contradictions in the two statement made by the victim in the first instance and then in her statement under Section 164 Cr.P.C. and the allegations against Sandeep are that he had introduced her to Ashish and lateron when she threatened to lodge a complaint he came to her house and threatened to kill her.

The submission on behalf of petitioner Rajesh is that he was not named in the FIR and his name was introduced only in the statement recorded under Section 164 Cr.P.C. and he is not a police official as was being stated. The submission is that the girl had been going to places and was a consenting party and Pinki, a co-accused had been allowed bail and as the trial is taking time, bail should be allowed.

Submission on behalf of the petitioners also was that the allegations are that she was ravished in January, 2014 but the matter was reported only in August, 2015.

Learned State counsel as well as complainant's side has opposed the bail application. It was urged that the girl was being

blackmailed and video had been prepared and the allegations against Rajesh are that he was in police uniform and the complainant, therefore, referred him as ASI. The girl was threatened and she was raped by all the accused. It was urged that the main the police had connived with the main accused and did not file the challan and therefore, he was allowed bail under Section 167 (2) Cr.P.C. and later he ran away from the Court and the statement of the victim could not be recorded and the intention is to pressurize her and if bail is allowed to the petitioners, they would also abscond.

The allegations are serious. One of the accused who was allowed bail under Section 167(2) Cr.P.C. did not appear in the Court on the day the prosecutrix had appeared for her statement. Considering the allegations and the fact that the statement of the prosecutrix has not been recorded yet, no case for bail is made out. All the three petitions are dismissed.

August 23, 2016
Jiten

(ANITA CHAUDHRY)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether reportable

Yes/ No