

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

**CRM No.M-10889 of 2017
Decided on: 06.04.2017**

Ravi		Petitioner
	Versus	
State of Haryana		Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Shilak Ram Hooda, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

Heard.

Notice of motion.

Ms. Dimple Jain, AAG, Haryana, accepts notice on behalf of the respondent – State.

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.181 dated 11.03.2016, for offence punishable under Sections 376, 506 read with Section 34 of the Indian Penal Code, 1860 (in short 'IPC') registered in Police Station City Gohana, District Sonapat.

Counsel for the petitioner has submitted that the petitioner was arrested in the case on 11.04.2016; challan was presented in the Court and the trial is in progress. It is further submitted that the material witnesses in the case have already been examined, therefore, there is no possibility of the petitioner tampering with the prosecution evidence in case released on bail. It is further submitted that the prosecutrix and the accused have their houses just opposite and as per the allegations, the prosecutrix and the accused stayed together at Ambala from 06.03.2016 to 10.03.2016 in a Dharamshala where she was subject to rape several times but the prosecutrix did not raise any hue and cry. It is further

submitted that the prosecutrix was about 21 years of age at the time of alleged occurrence and the petitioner is also born in the year 1995. The last submission made by counsel is that conclusion of the trial is likely to take its own time but the petitioner is ready to face the proceedings, in accordance of law.

Counsel for the State has opposed the prayer for bail with the submission that in view of seriousness of the allegations against the petitioner, he does not deserve to be enlarged on bail.

I have heard counsel for the parties, perused the paperbook and the police records.

Concededly, the prosecutrix, her mother and uncle have already been examined in the case. The prosecutrix was more than 20 years of age at the time of alleged occurrence. The accused and the prosecutrix have been residing in the neighbourhood. Conclusion of the trial may take some time, without meaning to express any opinion on merits of the case, bail to the petitioner subject to satisfaction of the trial Court. However, he shall remain bound by the following conditions:-

- (i) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade his/her from disclosing such facts to the Court or to any police officer; and*
- (ii) He shall not leave India without the previous permission of the Court.*

06.04.2017
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(REKHA MITTAL)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No