

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Criminal Misc. No.M- 23624 of 2017(O&M)

Date of Decision: December 13 , 2017.

Sandeep PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Bhupender Singh, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

LISA GILL, J.

This is the petitioner's third application for bail pending trial in FIR No.195 dated 03.06.2016 under Sections 4/10 of the Protection of Children from Sexual Offences Act, 2012 read with Sections 363/366/367/506 IPC, registered at Police Station Matlauda, District Panipat.

It is submitted that the petitioner has been in custody since 05.06.2016. The victim in this case has since testified before the learned trial court. Learned counsel for the petitioner submits that her statement is contradictory and indicates false implication of the petitioner. It is further submitted that the complainant i.e., the father of the victim had levelled allegations against as many as five persons, however it is only the petitioner who is proceeded against. It is thus prayed that this petition be allowed.

Learned counsel for the State, on the other hand, points out that the victim in this case from the very outset has levelled allegations of rape against

the present petitioner. In her testimony before the learned trial court the victim has reiterated the allegations against the petitioner. Reference is made to statement suffered by the victim before the learned trial court (Annexure P4). The victim in this case, it is submitted, is a minor. Specific allegations have been raised against the petitioner. It is thus prayed that this petition be dismissed.

I have heard learned counsel for the parties.

In view of the serious allegations levelled against the petitioner, I do not find any ground to afford the concession of bail pending trial to him, at this stage.

Accordingly, this petition is dismissed.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

Before parting with the order, it is however noticed that the petitioner has been in custody since June, 2016. Learned counsel for the State, on instructions from ASI Anil Kumar, informs that out of nineteen prosecution witnesses, eleven have been examined and eight remain to be examined. The matter is informed to be listed before the learned trial court on 05.01.2018.

In this view of the matter, learned trial court is directed to ensure the conclusion of trial within four months from the date fixed i.e., 05.01.2018.

Copy of the order be conveyed to the learned trial court.

December 13, 2017.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No