

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

**CRM No. M-46079 of 2016
Date of decision: 30.03.2017**

Pargat Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rakesh Nagpal, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

Mr. Rajnish K. Gupta, Advocate,
for the complainant.

Ritu Bahri, J.

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No. 166 dated 27.05.2016, under Section 506 IPC and Section 10 of Protection of Children from Sexual Offences Act (Sections 354-D/306/511 IPC added later on), registered at Police Station, Rania, District Sirsa.

Reply on behalf of respondent-State, by way of affidavit of Deputy Superintendent of Police, Ellenabad, District Sirsa, has been filed in Court. Same is taken on record. In the reply, it has been stated that as per report of Medical Officer (Annexure R-1), patient (prosecutrix) had hypoxic brain injury and her condition is poor. She is not able to speak or write anything.

Learned State counsel, on instructions, has informed that in

this case, challan has been presented on 09.08.2016. Keeping in view the health condition of the prosecutrix, her statement under Section 161 or 164 Cr.P.C. could not be recorded.

In view of the above reply and keeping in view the health condition of the victim, no case for grant of regular bail is made out.

Dismissed.

30.03.2017
ajp

(RITU BAHRI)
JUDGE

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