

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

**CRM No.M-9231 of 2017
Decided on: 28.04.2017**

Ravinder @ Ravi

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

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

Ms. Dimple Jain, AAG, Haryana.

REKHA MITTAL, J. (Oral)

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.90 dated 25.04.2016, for offence punishable under Sections 328, 376(2) (n) and 506 of the Indian Penal Code, 1860 (in short 'IPC') registered in Police Station Barwala, District Hisar.

Counsel for the petitioner has submitted that the prosecutrix is a married lady having four children. She has already been examined before the trial Court. As per her testimony in cross-examination, she could not regain consciousness for several days or she came to know after 15-20 days that she was ravished. It is further submitted that there is nothing on record to suggest that if the prosecutrix was unconscious for 15-20 days whether she was taken to any hospital for medical care. The last submission made by counsel is that the petitioner is in custody since 26.04.2016 and conclusion of the trial is likely to take some time.

Counsel for the State has opposed the prayer for bail with

the submission that in view of gravity of the offence, the petitioner does not deserve to be released on bail.

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

Be that as it may, the prosecutrix has already been examined. The facts highlighted by counsel for the petitioner are clear from cross-examination of the prosecutrix examined on 22.08.2016 and she was the first witness examined in the case. There is no allegation against the petitioner that he is likely to abscond in case released on bail. 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.*

28.04.2017
yakub

(REKHA MITTAL)
JUDGE

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