

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

CRM-M No. 21580 of 2018

DATE OF DECISION :- September 11, 2018

Dharmender Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Shranav Katyal, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

This petition for regular bail has been filed by petitioner Dharmender Singh, an accused in F.I.R. No. 0002 dated 16.1.2018 for offences under Sections 376/506 IPC registered with Police Station Women Charkhi District Charkhi Dadri (Bhiwani).

Briefly stated the fact of the case, as per prosecution story, are that accused formed physical relations with the victim on the allurements of getting her job and then getting married with her. He had fleeced money from the victim on the pretext of getting her job. He threatened her that in case she disclosed those facts to anybody then he would kill her. The accused neither got the job for the victim nor solemnized marriage with her.

On a written complaint dated 16.1.2018 submitted by the victim addressed to S.H.O Women Cell, Jhajjar against the present petitioner Dharmender, his brother Raj Kumar and mother Dhanpati, formal F.I.R. was

registered. After registration of the F.I.R. at Women Cell Jhajjar as ZERO F.I.R., it was transferred to Police Station Women, Dadri. The investigation in the case started. The accused was arrested on 10.4.2018. He had moved an application for regular bail in the Court of Sessions which was assigned to Additional Sessions Judge, Charkhi Dadri, however, vide order dated 30.4.2018 such bail application was dismissed. As such he has approached this Court craving for grant of similar relief by way of moving the petition in hand, which is being resisted by the State counsel.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Learned counsel for the petitioner has stated that petitioner is serving in S.S.B. and is posted at a remote place. Petitioner has not committed any offence. He has been wrongly involved in this case by the complainant in connivance with the police. As a matter of fact, the petitioner neither demanded any amount from the complainant nor received any such sum from her. He did not give allurements of finding a job or contracting marriage with the complainant and did not have physical relations with her. The conclusion of trial is likely to take some time, as such he be allowed regular bail. Whereas learned State counsel has submitted that allegations against the petitioner are very grave and serious. He not only received money from the complainant but had sexual intercourse with her on the pretext of getting married with her and in case he is released on bail there are chances of tampering with the prosecution evidence and even absconding and further statement of prosecutrix is yet to be recorded, therefore, the petitioner is not entitled to concession of bail.

After hearing the rival contentions, I find that allegations against the petitioner are indeed very grave and serious. The trial against him is going on which is likely to be concluded in near future. His guilt shall be determined during the trial. The apprehension expressed by the State counsel that if released on bail the petitioner may tamper with the prosecution evidence and even abscond cannot be brushed aside lightly.

Therefore, finding no merit in the petition, the same stands dismissed.

(H.S. MADAAN)
JUDGE

September 11, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No