

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 2984 of 2018 (O&M)

Date of decision : 12.7.2018

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Ravi @ Lala

.....Petitioner

vs.

State of Haryana

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. R.S. Hooda, Advocate
for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General,
Haryana.

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H. S. Madaan, J.

This petition for grant of regular bail has been filed by petitioner Ravi @ Lala, an accused in FIR No. 301, dated 23.7.2017, for offences under Sections 365, 376 IPC and Section 6 of POCSO Act, registered at Police Station Civil Lines, Sonapat, District Sonapat.

Briefly stated, facts of the case, as per the prosecution story are that complainant Umesh Sharma s/o Prem Kishan Sharma r/o A/272/8 Aadesh Nagar, Sonapat, had submitted a written complaint dated 23.7.2017 to the police contending that his daughter

– prosecutrix aged about 16 years used to take tuition at House No. 1549, Sector 14, HBC Sonapat and on 22.7.2017 at about 3.45 P.M. she had gone for tuition, but she did not return home. A massive search was lodged, but she could not be traced. The complainant expressed an apprehension that his daughter had been kidnapped by some unknown person.

Formal FIR was registered. The matter was investigated. The prosecutrix was recovered from the State of Punjab and her statement under Section 164 Cr.P.C. was recorded. Thereafter offence under Section 376 IPC and Section 6 of POCSO Act were added. The accused was arrested in this case on 24.7.2017. He had filed an application for regular bail before the Court of Sessions, which was assigned to the Court of Additional Sessions Judge / Special Judge, Sonapat. However, the same was dismissed vide order dated 9.1.2018. Thereafter he has approached this Court asking for grant of similar relief, whereas, the request is being opposed on behalf of the State.

I have heard learned counsel for the petitioner, learned State counsel, besides going through the record and I find that there is no merit in the petition.

Though the petitioner is not named in the FIR, but as stated by the prosecutrix in her statement under Section 164 Cr.P.C. the petitioner had helped accused Ashish in kidnapping and confining her in a room, where Ashish had committed rape upon her. This part played by the petitioner in the incident cannot be taken lightly and he certainly does not deserve the concession of bail, as there is

reasonable apprehension of his absconding and even trying to tamper with the prosecution evidence, if granted bail.

There is no merit in the petition. The same stands dismissed.

12.7.2018
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(H.S. Madaan)
Judge

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