

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

CRM-M-6115-2018

Date of decision:-17.7.2018

Pardeep

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr.Sandeep Gahlawat, Advocate
for the petitioner.

Mr.Gaurav Bansal, AAG, Haryana.

H.S. MADAAN, J.

This petition for regular bail has been filed by Pardeep – an accused in FIR No.110 dated 4.3.2017, under Sections 346, 376(1)(i), 406 IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to as *the Act*), registered at Police Station City, Bhiwani.

The FIR in this case was registered on the basis of an application submitted by complainant - Rekhi wife of Rajpal of Jogi community, resident of Sewa Nagar, Bhiwani to the police on 4.3.2017 submitting therein that her eldest daughter aged about 14 years (daughter name not being mentioned to conceal her identity and referred to as '*the*

victim) had left home in the morning of that day without informing anybody; that despite being searched, she could not be located. On the basis of that application, formal FIR for the offence under Section 346 IPC was registered. The matter was investigated. On 10.3.2017, when the Investigating Officer was present near bus-stand Rohtak, the victim was found therefrom. Her statement was recorded wherein she stated that she had been sexually ravished by one Auto driver Pardeep at Prince Hotel, Rohtak by use of force. Therefore, offence under Section 376 IPC and Section 4 of the Act were added, whereas offence under Section 346 IPC was deleted. Accused Pardeep was arrested in this case on 26.3.2017. During the course of investigation, offence under Section 406 IPC was also added. After completion of investigation and other formalities, challan was prepared and filed in the Court. The petitioner had filed an application for regular bail in the Court of Sessions, which was declined by Additional Sessions Judge (Exclusive Court), Bhiwani vide order dated 18.1.2018, as such, he has approached this Court with the same request.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record.

The allegations against the petitioner are very grave and serious of committing rape upon a minor girl. Such type of persons having lust for sex are danger to innocent young girls and women. They need to be dealt with sternly. No leniency can be shown to them lest they are able to sexually assault more innocent young girls. There are reasonable

chances of the petitioner tampering with the prosecution evidence and absconding, if granted bail.

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

17.7.2018

Brij

(H.S.MADAAN)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No