

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-6637 of 2019 (O&M)
Date of decision : March 25, 2019

Gaurav Deshwal

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Abhinav Gupta, Advocate, for the petitioner
Mr. Amrik Narwal, DAG Haryana for the State

Fateh Deep Singh, J. (Oral)

This second regular bail application under Section 439 Cr.P.C. by petitioner Gaurav Deshwal has come about in case FIR No. 75 dated 23.7.2018 under Sections 420,506 IPC and Sections 4/17 of the Protection of Children from Sexual Offences Act, 2012, Police Station Jatusana, Rewari after his first similar bail application stood declined by detailed order dated 9.1.2019.

Heard.

The allegations against the petitioner hover around the fact that being a Coach of the victim a girl aged around 16 years has defiled her on a number of occasions after hatching a conspiracy with his co-accused.

The claim of Mr. Abhinav Gupta, counsel for the petitioner that the victim as well as her father have not supported the prosecution story and therefore, deserves the concession of bail have been thwarted by the learned State counsel Mr. Amrik Narwal on the grounds that there is no fresh cause at this stage to file the bail when the previous one stands declined through a detailed order.

This Court while dismissing the first bail application for regular bail had categorically held that the medical evidence fully corroborates the ocular version given by the complainant side. It is there right from the inception of the case when the victim made statement before the Magistrate that she was criminally intimidated by the accused-petitioner to desist her from revealing the incident are itself suggestive of the conduct of the petitioner. Without feeling the necessity to further advert on the merits, in the light of the earlier detailed order, no fresh ground for consideration of bail is made out. The same as such is declined and dismissed.

March 25, 2019
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No