

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-9999 of 2019 (O&M)
Date of decision : July 17, 2019

Amit Kumar

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. RS Mamli, Advocate, for the petitioner
Mr. Baljinder Virk, DAG, Haryana for the State

Fateh Deep Singh, J. (Oral)

In this third regular bail application of accused-petitioner Amit Kumar, the allegations are that on 7.3.2015, the accused went to the house of the prosecutrix a minor girl aged around 16 years who happens to be the neighbour and on the pretext that her mother wants to see her, took her to his home where she was made to drink tea and thereafter she became unconscious and when woke up found herself in a naked state and the accused petitioner prepared her video. To the query of the victim, the accused told her that he will destroy the video in case she marries him. It was thereafter, the present case was got registered.

Mr. RS Mamli, counsel for the petitioner has argued that earlier a complaint Annexure P/2 was made by the complainant which was

compromised and that the girl on her own had volunteered to stay with the petitioner for which he has placed reliance on Annexure P/3 arguing that the petitioner is behind the bars since a long time and the trial is not likely to be concluded in the near future.

Mr. Baljinder Virk, DAG, Haryana has opposed forcefully the plea of the petitioner on the grounds that on two earlier occasions, this Court has refused to give relief to the petitioner and in view of the allegations levelled against him dis-entitles to any relief.

This Court on 31.7.2018 and 11.9.2018 was not inclined to allow the bail of the petitioner and thus, the same was withdrawn. The allegations against the petitioner for having defiled a minor neighbouring girl and preparing her naked video and blackmailing her on that score certainly stirs the judicial conscience. The apprehension of the State that if allowed bail, the petitioner might stifle the trial is not unfounded. Thus, this Court is not inclined to allow the bail and the same stands dismissed.

The observations made herein above shall have no bearing on the merits of the case as these are purely for the disposal of the present bail application.

July 17, 2019
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No