

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-16471 of 2019 (O&M)
Date of decision : May 28, 2019

Hitesh

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Deepinder Singh, Advocate, for the petitioner
Mr. Baljinder Virk, DAG, Haryana for the State

Fateh Deep Singh, J. (Oral)

Petitioner Hitesh accused in case FIR No. 115 dated 17.11.2018 under Sections 376/506 IPC, Police Station Women, Faridabad has sought regular bail.

The allegations against the petitioner have been levelled by unmarried girl aged around 20 years alleging that during August, 2018 she came into contact with the petitioner and on the asking of the petitioner she visited his office on 15.8.2018 afternoon and where the petitioner had taken in the complainant on the pretext of getting

married and violated her and on similar assurance and undertaking the accused repeatedly defiled her for three months and thereafter lastly on 5.11.2018 did so against her wishes leading to the registration of the present case.

Mr. Deepinder Singh, Advocate, for the petitioner has contended that the complainant happens to be a grown up girl, thus, major and has volunteered into this relationship and had filed the present case belatedly is itself reflective of her consent submitting that the petitioner is behind the bars since a long time and the trial is not likely to be concluded in near future and prayed for grant of bail.

Learned State counsel has opposed the grant of bail on the grounds that it is a clear-cut case of deception and fraud by the accused-petitioner on the pretext of marriage and if allowed bail, there is every apprehension that he would stifle the trial and has heavily placed reliance on the statement of the girl under Section 164 Cr.P.C. recorded before the learned Judicial Magistrate.

Appreciating the submissions, no doubt the complainant is unmarried girl aged around 20 years. It is not a relationship which has spanned over a long period of time and within a period of three months, as has been alleged by the complainant, she has been violated a number of times on fraudulent pretext of marriage by the

petitioner who after having satisfied his physical needs after this cheating taken back on the same and thus reflective of his intent and motive. This Court does not deem it a fit case for the grant of bail. The present petition, thus, stands dismissed.

May 28, 2019
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No