

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

**CRM No.M-18582 of 2020
Date of Decision: July 31, 2020**

Rahul

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Manoj Pundir, Advocate
for the petitioner.

ARCHANA PURI, J.

Case has been taken up for hearing through Video Conferencing.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.120 dated 05.11.2019 under Sections 328, 376, 506 IPC (later on Section 376(2)(N) IPC was added in place of Section 376 IPC), registered at Women Police Station, Jagadhri Sadar, District Yamuna Nagar.

Notice of motion.

Ms.Gaganpreet Kaur, Asstt. Advocate General, Haryana, has put in appearance on behalf of the respondent-State and contested the petition.

I have heard learned counsel for the petitioner as well as

learned State counsel and have gone through the record.

The aforesaid case was registered at the instance of the prosecutrix herself, wherein it is stated about the accused-petitioner to be having barber shop near her house and was on visiting terms at her house. One day, while she was doing stitching work at her house, petitioner taking benefit of her being alone in the house, came and asked her to prepare cup of tea. He offered chocolate to her which was mixed with some intoxicant, whereupon, she became unconscious. Then, the petitioner committed rape upon her and had taken her naked photographs and prepared a video clip. Thereafter, while extending threat to make her video viral, he had been committing rape repeatedly.

The challan is stated to have been presented before the Court and charge has also been framed but however, statement of the prosecutrix has yet not been recorded.

Considering the serious allegations of the prosecutrix to have been repeatedly raped by the petitioner, after administration of some intoxicant in her chocolate and more particularly, keeping in view the fact that statement of the prosecutrix has yet not been recorded before the trial Court, no case is made out for grant of regular bail to the petitioner.

In view of the above discussion, the present petition stands dismissed.

July 31, 2020
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No