

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

CRM M-21242 of 2020 (O&M)

Date of Decision: December 10, 2020

Vinod Kumar

...Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Jagjit Singh Gill, Advocate
for the petitioner.

Ms. Safia Gupta, AAG, Haryana
for the respondent-State.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner Vinod Kumar has come in this second regular bail application under Section 439 Cr.P.C. moved in FIR No. 137 dated 06.06.2018 under Section 451 of IPC, Sections 6 and 10 of Protection of Children from Sexual Offences Act, 2012 and later on added offence under Section 376(2)(j) IPC

registered at Police Station Sadar Dabwali, District Sirsa the first one having been dismissed on 10.09.2020.

The allegations hover around that the victim a deaf and dumb orphaned girl aged around 14 years was defiled by the accused who was caught red handed leading to registration of the present case.

Shri Jagjit Singh Gill, learned counsel for the petitioner has vehemently argued that none of the prosecution witness have fully supported the prosecution plea. It is submitted that neither the NDA nor the FSL report matches and has sought to comment upon the allegations being an outcome of political vendetta.

Ms. Safia Gupta, AAG, Haryana has strongly opposed the plea on the ground of heinousness of the offence. It has been brought to the notice of this Court how the police in league with the influential persons supporting the petitioner had tried to stifle the investigations and, thereafter, the trial and, therefore, in view of the heinousness of the offence disentitles the petitioner to any relief.

Going through the submissions without feeling the necessity to advert on what has transpired before this Court on different hearings and the inordinate delay in despatching the samples is illustrative of the manner, in which, the investigating agency has tried to side with the accused and so is the

insolence shown by the judicial officers while trying the accused are stark reminders of total circumvention of due process of law. There are serious allegations against the petitioner and the victim had supported prosecution stand. In view of the heinousness of the crime necessitates dismissal of the bail application.

Finding no merits, the petition, accordingly, stands dismissed.

December 10, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No