

CRM-M No.30091 of 2020 (O&M)
Date of Decision : 01.10.2020

Abdul Saleem

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGHPresent : Mr. Navneet Jindal, Advocate
for the petitioner.

Mr. B.S. Virk, DAG, Haryana.

FATEH DEEP SINGH, J (ORAL)

The petitioner-Abdul Saleem has come up before this Court in this first regular bail in case FIR No.30, dated 24.04.2019, under Section 452 IPC, 1860 and Section 6 of POCSO Act, 2012, Section 3(2)(v) of SC/ST Act, registered at Police Station Women, Kurukshetra, Haryana.

The petitioner-Abdul Saleem is a neighbour of the victim, a girl aged around 15 years. As per the statement of the mother of the complainant on 24.04.2019, he barged into the house of the complainant while the parents were away and forcibly ravaged the victim against her wishes leading to the registration of the present case.

Mr. Navneet Jindal, learned counsel for the petitioner *inter alia* contends that the petitioner is behind the bars since 24th April, 2019 and that the trial has been stopped after recording the principal witness and that on account of the present pandemic Covid-19, there is every likelihood that trial of the case would not be accomplished in the near future.

Learned State counsel does not displace the said facts but has strongly opposed the bail on the grounds of seriousness of allegations.

Be so as it may, the girl is 15 years of age and there are clear cut allegations of rape of a minor girl by the accused-petitioner, who happens to be the major. Since the trial of the case is at final stage of culmination, it would not be appropriate to release the accused-petitioner on bail.

Thus, in light of the circumstances detailed hereinabove and finding no merit, the present petition for regular bail of the petitioner-Abdul Saleem, is dismissed.

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

(FATEH DEEP SINGH)
JUDGE

01.10.2020
Manpreet

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No