

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

212

**CRM-M-3706-2021
Decided on : 22.02.2021**

Virender

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Manvender Chauhan, Advocate,
for the petitioner(s).

Mr. Rajiv Goel, DAG, Haryana
assisted by ASI Manisha.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. For grant of regular bail to the petitioner in case FIR No. 62, dated 13.07.2020, under Sections 376-D, 506 IPC (Section 120-B IPC added later on), registered at Police Station Women, Sonapat, District Sonapat.

Learned counsel for the petitioner submits that the false implication of the petitioner in the case in hand is evident from that fact that the prosecutrix did not name him nor levelled any allegations against him at the time of registration of the FIR. It was only in her statement recorded under Section 164 Cr.P.C., that she levelled allegations against the petitioner for the first time, wherein, the only allegation leveled against the petitioner was of having taken her to the office of co-accused Mahavir and thereafter, he allegedly locked his office from outside. It has been submitted that even the allegations levelled against the petitioner under Section 164 Cr.P.C. does not in any way reveal his complicity in the crime in question and which on the face of it evidently is a fabricated statement.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Manisha, has submitted that the petitioner was an active participant in the crime in question, inasmuch as, after leaving the prosecutrix with the main accused Mahavir, he locked the room from outside. Learned State counsel has further submitted that the charges in the instant case stand framed and the evidence is due to commence shortly.

Heard.

In facts and circumstances of the case, I do not find any ground to extend the concession of regular bail to the petitioner. Therefore, finding no merit in the instant petition, same stands dismissed. However, anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 22, 2021

J.Ram

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>