

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

CRM-M-23310-2021 (O&M)

Date of Decision: 26.08.2021

Parveen Rajput.....Petitioner

Versus

The State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

**...
(through video conferencing)**

Present: Mr. Arav Gupta, Advocate
for the petitioner.

Ms.Tanushree Gupta, DAG, Haryana.

...

MANJARI NEHRU KAUL, J. (Oral)

This is second petition under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 553 dated 19.09.2018 registered at Police Station Sector 5, Gurugram under Section 506 IPC and Section 4 of the POCSO Act, Challan presented under Sections 506/120-B IPC and Sections 6 of the POCSO Act, Charges framed under Section 6 of the POCSO Act (in alternative under Section 376(2)(n) IPC) and Section 506/120-B IPC.

Learned counsel submits that the petitioner is a 21year old boy who has been in custody since 20.09.2018. He submits that it is a case of false implication and rather it is very evident from the contents of the FIR that it was a case of consensual relationship between the parties. Learned

counsel submits that there is no likelihood of the trial concluding in the near

future, therefore the petitioner be extended the concession of bail.

Per contra the learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner. She, on instructions from SI Ram Avtar, has apprised the court that the victim was a minor aged about 15 years whose person was continuously violated by the petitioner after putting her under threat. She further submits that the victim in her statement recorded under Section 164 Cr.P.C. and during her deposition before the trial court, supported the case of the prosecution in its entirety. Learned state counsel has further submitted that 13 out of the 19 prosecution witnesses which also include other material witnesses have been examined and they have all supported the case of the prosecution. She therefore submits that in the wake of the serious and specific allegations levelled against the petitioner of violating the person and modesty of the minor, aged 15 years, the petitioner be not extended the concession of bail.

Heard the learned counsel and perused the record.

Prima facie there are serious allegations for which the petitioner does not deserve the concession of bail. However, nothing contained herein shall be construed as an expression of opinion on the merits of the case.

The petition is dismissed.

26.08.2021
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No