

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No. M-24743 of 2021 (O&M)

Date of decision : July 13, 2021

Sandeep

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Devender Arya, Advocate, for the petitioner

Mr. Gaurav Jindal, Addl. AG, Haryana

Fateh Deep Singh, J. (Oral)

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner-accused Sandeep has come up in this third regular bail application under Section 439 Cr.P.C. in case FIR No. 0009 dated 24.1.2019, under Sections 342,363,366-A,376-D IPC and Section 3 of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and Sections 6/8 of the Protection of Children from Sexual Offences Act, 2012, Police Station Satnali, District

Mahendergarh. The earlier two similar bail applications have been declined on 15.11.2019 and 30.9.2020.

The allegations against the petitioner in brief are that a minor girl was forcibly blindfolded and taken away to a desolate place by the petitioner along with co-accused non-applicant Sachin and thereafter defiled by both the accused. During the course of statement of the girl under Section 164 Cr.P.C., categorical stand has been taken that it was on three occasions both these accused by criminal intimidation had defiled the girl.

Learned counsel for the petitioner inter-alia contends that the petitioner is behind the bars since 28.1.2019 and the trial is not likely to be concluded in the near future though the prosecutrix stands examined.

Learned State counsel has strongly refuted the relief on the grounds of seriousness of the offence being case of gang rape of a minor girl.

This Court on two occasions had declined the relief in question. The detailed order of this Court passed on 15.11.2019 is quite elaborate. The plea of the counsel for the petitioner that there is no matching of the DNA is a matter subject to trial. Keeping in view the heinousness of the crime and seriousness of the offence

does not call for grant of bail. The present petition as such stands dismissed.

July 13, 2021
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(Fateh Deep Singh)
Judge

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