

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

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**CRM-M-34750-2021(O&M)
Decided on : 02.09.2021**

RANBIR SINGH

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Gurmandeep Singh Sullar, Advocate
for the petitioner(s).

Mr. Gagandeep Chinna, AAG Haryana
assisted by ASI Neelam.

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.75, dated 26.10.2020 under Section 4 of the POCSO Act and Sections 313, 34, 376(2)(N), 406 and 506 of the IPC registered at Women Police Station, Rohtak, District Rohtak.

Learned counsel for the petitioner submits that a perusal of the FIR in question reveals that no specific allegations have been levelled against the petitioner except that his name figures therein. While inviting the attention of this Court to the FIR in question annexed as Annexure P-1, learned counsel submits that almost all the allegations of rape are against

co-accused Karambir. He further submits that the wife of Karambir Singh i.e., Indrawati has since been extended the concession of bail, even though she had allegedly administered a pill to terminate the pregnancy of the prosecutrix. Still further submits that it is thus evident that the petitioner has been falsely implicated in the case in hand without there being any evidence on record to connect him with the crime in question. Learned counsel prays that the petitioner be extended the concession of bail, since he has been in custody since 11.11.2020 and there is no likelihood of the trial concluding in the near future, as only 2 out of 16 prosecution witnesses cited have been examined so far.

Per contra, learned State counsel on instructions from ASI Neelam while vehemently opposing the prayer and submissions of the learned counsel for the petitioner has apprised the Court that not only was the petitioner named in the FIR in question, but in her statement recorded under Section 164 CrPC, the prosecutrix specifically named all the accused including the petitioner wherein she categorically alleged that she had been sexually exploited in hotels on a number of occasions, as a result of which, she got pregnant and later on the pregnancy had to be aborted. Learned State counsel has also apprised the Court that the victim was a hapless girl of 15 years of age when she was repeatedly sexually assaulted and raped by the accused including the petitioner. Learned State counsel further submits that the victim while stepping into the witnessbox has supported the case of the prosecution in its entirety and reiterated the allegations of rape against the petitioner.

Heard.

Prima facie, there are serious and specific allegations against the petitioner of having committed rape of the prosecutrix, who was only 15 years of age at the time of alleged occurrence. Keeping in view the aforementioned, coupled with the fact that the prosecutrix had fully supported the case of the prosecution, this Court is not inclined to extend the concession of bail to the petitioner.

Petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

September 02, 2021
S.Sharma(syr)

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