

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

(Through Video Conferencing)

CRM-M-34109-2020

Date of Decision: 01.04.2021

ANMOL

.....Petitioner

V/s.

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Ms. Kuljit Kaur, Advocate,
 for the petitioner.

 Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

 Ms. Kushaldeep Kaur, Advocate,
 for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

This is the first petition filed under Section 439 of the Code of Criminal Procedure for grant of concession of regular bail to the petitioner in case FIR No.69 dated 16.05.2019 under Sections 376-D, 342 and 34 of the Indian Penal Code, 1860 registered at Police Station Phase XI, SAS Nagar Mohali.

Learned counsel for the petitioner submits that the petitioner has been in custody since 27.05.2019 on the allegation of committing rape upon prosecutrix and thereafter making an obscene video of the same. She further submits that the allegations levelled against the petitioner are totally incorrect and fabricated.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Nirmal Singh, has apprised this Court that 4 out of 25 prosecution witnesses

cited have been examined so far which also include the prosecutrix. He has further submitted that the prosecutrix has levelled categoric allegations against the petitioner and the accused *qua* crime committed. He has further submitted that she has corroborated her statement made under Section 164 of Cr.P.C. while stepping into the witness box during trial.

Heard.

Prima facie, there are serious allegations against the petitioner for which he does not deserve the concession of regular bail. Resultantly, the instant 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.

July 6, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

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