

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

234

**CRM-M-27008-2020
Decided on : 17.01.2022**

Vikram

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Bhagwat Dayal Sharma, Advocate
for the petitioner(s).

Mr. Karan Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of bail to the petitioner in case FIR No. 412, dated 27.11.2019, under Sections 450, 506, 120-B, 34 of IPC and Section 4 of the POCSO Act, 2012, registered at Police Station Sadar Narwana, District Jind.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the case in hand, which finds credence from the fact that no allegations of rape were levelled against him in the FIR in question. Learned counsel submits that the FIR in question had been got registered by the complainant i.e. father of the victim on account of a money dispute between him and the father of the petitioner. Further submits that since the petitioner has been in custody for last two years and there is no likelihood of the trial concluding shortly, the further incarceration of the petitioner would not serve any useful purpose.

Learned State counsel, on the other hand, while opposing the prayer and submissions made by the counsel opposite, has submitted that

the victim was a 15 years old girl. All the accused including the petitioner in connivance with each other had jumped into the house of the victim on 25th November, 2019 at about 10:00 P.M. and tried to kidnap her. Not only this, learned State counsel has further submitted that the accused including the petitioner in connivance with each other had committed rape upon the victim several times and had threatened her with dire consequences, in case she dared to disclose about the incident to anyone. Learned State counsel has further submitted that the delay in the trial has been on account of the on going pandemic as well as on account of an application, which was moved under Section 319 Cr.P.C. by the prosecution, which however, now stands dismissed. Learned State counsel has submitted that in the wake of the serious allegations levelled against the petitioner of having connived with the co-accused in raping the victim repeatedly, he be not extended the concession of bail, as there was every likelihood that he could abscond or even tamper with the material evidence.

Heard.

Prima facie, there are serious and specific allegations levelled against the petitioner in the FIR in question for which this Court does not deem it appropriate to extend the concession of bail to the petitioner.

Petition 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

January 17, 2022

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No