

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

206

**CRM-M-47808-2021
Decided on : 30.05.2022**

Virender @ Bindru

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Surender Saini, Advocate
for the petitioner(s).

Mr. Rohit Arya, DAG, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. for grant of concession bail to the petitioner in case FIR No.113, dated 07.05.2020, under Sections 354A, 452, 506, 376 and 34 of IPC and Sections 4 & 8 of the POCSO Act, 2012, registered at Police Station Baroda, District Sonapat.

Learned counsel *inter alia* contends that it is a case of false implication, as the MLR of the victim does not corroborate the allegations levelled in the FIR, which was registered at the instance of the victim's father. He submits that the petitioner has been in custody since 03rd June, 2020 and there is no likelihood of the trial concluding in the near future, hence, the petitioner be extended the concession of bail.

Per contra, learned State counsel, on instructions, has opposed the prayer and submissions made by the counsel opposite, by submitting that the victim, aged 12 years, while stepping into the witness-box as PW-4, categorically deposed that the accused after entering her house on the fateful day i.e. 28th April, 2020 violated her person. He further submits that out of

19 prosecution witnesses cited, 17 prosecution witnesses stand examined and the remaining 02 prosecution witnesses have been summoned for today i.e. 30.05.2022 by the trial Court and hence, the trial will not take much time to conclude. He has, thus, prayed for dismissal of the instant petition in the wake of serious allegations levelled against the petitioner of violating the person of a 12 year old minor girl.

I have heard learned counsel for the parties and perused the relevant material on record.

Since the trial is at the fag end and nearing conclusion, coupled with the fact that the victim while stepping into the witness-box, had levelled specific and categoric allegations against the petitioner, this Court does not deem it fit to extend the concession of bail to him.

Dismissed. However, anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 30, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*