

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

CRM-M-48858-202

Date of Decision: 21.3.2022

Ram Kumar

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Narinder S. Lucky, Advocate, for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Prayer in the present petition is for the grant of regular bail to the petitioner in a case FIR No.39 dated 20.6.2021, registered under Section 376(2)(n) IPC (Section 450 IPC added later on), at Women Police Station Fatehabad, District Fatehabad.

As per factual matrix of the case, the FIR in question was lodged by the prosecutrix/victim herself (name concealed), wherein, it was alleged that she is a housewife and matric pass. Ram Kumar, i.e. the present petitioner was on visiting terms at their house. It was alleged that in the summer of the year 2015, he called her at his house and finding her alone taking undue advantage of the situation, he forcibly raped her and thereafter, he started blackmailing and threatening her that if anything is disclosed to anyone, he would make her video viral. On 18.4.2021, she was married with Vikas Kuamr but the accused kept on blackmailing her even in her matrimonial home. Having no other alternative, the present FIR was lodged

and request was made to take legal action against the accused. On the commencement of the investigation, the petitioner was arrested on 26.6.2021. He approached the learned Additional Sessions Judge, Fatehabad for grant of bail, who after hearing the parties, declined the same vide its order dated 1.11.2021. Aggrieved by the same, the petitioner has approached this Court by way of filing the present petition for grant of regular bail.

Learned counsel for the petitioner has *inter alia* submitted that the petitioner has been falsely implicated in the present case and is behind bars since long and deserves to be granted bail.

However, learned State counsel at the outset submits that in all there are 18 prosecution witnesses, out of which 13 witnesses have already been examined by the trial Court and hence, the trial is virtually at its fag end. He has also submitted that prosecutrix is also examined and she has duly supported the case of the prosecution.

In view of the attending facts and circumstances and without going into the merits of the case, this Court is of the opinion that trial is likely to be concluded soon. The prosecutrix has already supported the case of the prosecution and hence, this is not the appropriate stage for consideration of bail.

In view of the same, finding no ground to grant bail to the petitioner, the petition is disposed of with a request to the learned trial Court to conclude the trial expeditiously.

21.3.2022
sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No