

AJAY

VERSUS

STATE OF HARYANA

...RESPONDENT

Present: Mr. S.K.Goswami, Advocate for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

VIVEK PURI,J. (ORAL)

1. Petitioner is seeking regular bail in the case bearing FIR No.14 dated 15.01.2022, under Sections 216/342/346/366/506/376(2)(n) IPC, registered at Police Station, Civil Line, Jind, District Jind, Haryana.
2. Custody certificate of the petitioner has been placed on record.
3. Learned counsel for the petitioner contends that the petitioner was aged about 19 years and he was in live-in relationship with the prosecutrix who is aged 18 years. The statement of the prosecutrix and her brother has been recorded during the course of trial.
4. Learned State counsel has opposed the bail application on the score that the prosecutrix has been recovered from the custody of the petitioner and moreover, during the course of trial, she has made a categoric statement imputing commission of rape against the petitioner. Furthermore, there is allegation to the effect that under the threat to kill the brother of the prosecutrix, she was forcibly taken by the petitioner and her signatures on blank papers were obtained. Besides, as per the report of FSL, spermatozoa has also been detected.
5. It is significant to note that the prosecutrix has made specific and categoric allegations to the effect that the petitioner had committed rape upon

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her. Furthermore, her signatures were procured on blank papers on the threat of killing her brother. Even, during the course of trial, she has denied the allegations to the effect that she had entered into any agreement or live-in relationship with the petitioner. It will be too early to comment upon the defence version of the petitioner to the effect that it was a case of consent.

6. Keeping in view the gravity of allegations levelled against the petitioner, no ground is made out to extend the concession of bail to the petitioner.

7. In view of the above, the present petition is dismissed.

25.05.2023

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No