

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14671-2023
DECIDED ON: 29th MARCH, 2023

PARAMJEET

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. D.S. Virk, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 184, dated 01.07.2021, under Sections 377 and 506 IPC registered at Police Station Civil Lines Jind, District Jind.

Learned counsel for the petitioner has contended that the victim is major aged about 22 years and has referred to the MLR dated 02.07.2021 (Annexure P-2) wherein it is stated that the victim complains of pain over anal region but stressed upon that no external injury mark seen and also refers to the report of Regional Forensic Science Laboratory, Haryana Sunaria, Rohtak (Annexure P-4) dated 27.08.2021 and states that semen has not yet been confirmed to be of the petitioner or of any body else or of the victim himself, which have been detected on Exhibit-1 ('lower worn by the victim'). He concluded his argument stating that the victim is also involved in FIR No. 92,

dated 28.03.2021, under Sections 366, 377, 406 and 506 IPC, registered at Police Station Uchana, Jind.

Learned State counsel has produced the custody certificate of the petitioner, which is taken on record. He opposes the prayer made in the present petition stating that there is a direct evidence against the petitioner i.e. the statement of the victim as well as FSL report wherein it is mentioned that human semen has been detected on the lower which belongs to the victim and there is no reason for the victim to implicate the petitioner falsely, as no motive has been attributed. It is also brought to the notice of this Court that the petitioner is also involved in another case bearing FIR No. 431/2016, under Sections 363, 366, 376-D and 328 IPC, registered at Police Station Meham, Rohtak.

Having considered the submissions made by learned counsel for the respective parties and the custody period undergone by the petitioner i.e. 1 year 8 months and 17 days and also looking into the credential of the petitioner who is also involved in another case of similar nature including the various other cases under IPC, apart therefrom in four other cases of multiple offences in which he stands acquitted, living no doubt in the mind of the Court that he is a habitual offender with a criminal mind and there is strong evidence against him for not granting him the concession of regular bail.

In view of afore-said discussion, the present petition is dismissed being devoid of any merit.

29th MARCH, 2023
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(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>